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KAPPLER'S

INDIAN AFFAIRS

LAWS AND TREATIES

VOLUME VI

UNITED STATES DEPARTMENT OF THE INTERIOR

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PREFACE

The five previously published volumes of Kappler's *Indian Affairs, Laws and Treaties*, contain treaties and statutes relating to Indian affairs enacted through the Seventy-fifth Congress in 1938. These volumes have long needed updating. Congress, by Title VII of the Act of April 11, 1968, 25 U.S.C. § 1341, authorized and directed the Secretary of the Interior to revise and extend Kappler's compilation to include all treaties, laws, executive orders and regulations relating to Indian affairs in force on September 1, 1967. The volumes now published extend the work through the Ninety-first Congress, 1970. It is anticipated that supplemental volumes will be published at intervals sufficient to keep the compilation reasonably current.

For the most part, Kappler's format has been followed in the new volumes. There are however, certain changes which should be mentioned.

In recent years, many statutes of general application, in particular those establishing federal programs, have contained special provisions for Indians or have specifically included Indians and Indian tribes within the terms of the statute. Often these acts are lengthy and are followed by numerous amendments. Little purpose would be served by publishing the original statutes and the entire text of their amendments. Therefore, the amended acts are published, in Part III, as they appear in the United States Code, 1970 edition. Edited versions of the statutes, containing the sections which specifically refer to Indians, appear in their chronological sequence in Part I. Part III, Selected Provisions of the United States Code, in no way purports to contain the authorizing statutes for all federal programs for which Indians and Indian tribes are eligible. Many such statutes do not mention Indian tribes at all but have been administratively interpreted to include them.

Kappler's volumes included executive orders relating to Indian lands. In Part IV, the equivalent section of the new volumes, secretarial and departmental orders of the Department of the Interior are included in addition to executive orders. This material has been derived from the Federal Register and begins with 1936, the first year the Federal Register was published. At the end of Part IV are two tables. The first contains a list of delegations of authority by the Secretary of the Interior. The text of the delegations is included in the main body of Part IV, and the table is intended as a guide to aid in locating them. The second table lists tribal ordinances relating to the introduction, sale, or possession of intoxicating beverages in Indian country that have been published in the Federal Register pursuant to the Act of August 15, 1953, 67 Stat. 586, which authorized Indian tribes to adopt their own liquor ordinances. The ordinances themselves are not included in this compilation, but they can be located in the Federal Register through use of this table.

Part V, Tables of Statutes Affected, is new. Kappler included notations of amendments, repeals, etc., in the margins of the affected statutes. Kappler's notes were quickly out-dated however, because they were current only through the publication date of the volume containing the original statute. An additional problem with the marginal notation method is that it becomes very unwieldy when one statute is amended several times. The tables in Part V attempt to overcome these limitations. They list the amendments, repeals, etc., through 1970, for the statutes compiled in Kappler, Volumes I and III through VII.

In addition to the new material hereby published, the five earlier volumes have been reprinted, as they have long been difficult to find. They have been reprinted in their entirety except that in Volume IV, a 1928 edition of Title 25 of the United States Code has been omitted, as have duplicate indexes to Volumes I, II and III. Since the current edition of Title 25 is reasonably accessible, reprinting such an outdated version did not seem useful. The indexes to Volumes I, II and III are included in their respective volumes.

Federal regulations relating to Indians, which the 1968 statute directed to be published, are not included in these volumes. Because of their need for frequent revision, they have been published separately in a paperbound volume entitled *Supplement to Kappler's Indian Affairs, Laws and Treaties; Compiled Federal Regulations Relating to Indians.*

The new volumes were prepared in the Office of the Solicitor under the direction of Deputy Solicitors Raymond C. Coulter and David E. Lindgren. Substantial contributions were made by M. Frances Ayer, Peter S. Taylor, Thomas Viall, Janet Lang, Nicholas Goschy, Sarah Jo Rowland, Bobbie Jean Ware, Kathleen Johnson, Gilbert Hall and Anita Vogt.

PART I

LAWS RELATING TO INDIAN AFFAIRS

PUBLIC LAWS OF THE SEVENTY-SIXTH CONGRESS, FIRST SESSION, 1939.

INTERNAL REVENUE CODE

* * *

AN ACT

To consolidate and codify the internal revenue laws of the United States.

FEBRUARY 10, 1939
[H. R. 2762]
[PUBLIC, No. 1]
Chapter 2
53 Stat. 1

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws of the United States hereinafter codified and set forth as a part of this act under the heading "Internal Revenue Title" are hereby enacted into law.

* * *

⊥Subtitle C—Temporary Taxes ⊥409

* * *

CHAPTER 29—MANUFACTURERS' EXCISE AND IMPORT TAXES

* * *

⊥SUBCHAPTER C—GENERAL ADMINISTRATIVE PROVISIONS ⊥416

* * *

⊥SEC. 3446. EXEMPTION OF ARTICLES MANUFACTURED OR PRODUCED BY INDIANS. ⊥418

No tax shall be imposed under this chapter on any article of native Indian handicraft manufactured or produced by Indians on Indian reservations, or in Indian schools, or by Indians under the jurisdiction of the United States Government in Alaska.

* * *

Approved, February 10, 1939

[CHAPTER 1]

JOINT RESOLUTION

Making an additional appropriation for work relief and relief for the fiscal year ending June 30, 1939.

February 4, 1939
[H. J. Res. 83]
[Pub. Res., No. 1]
53 Stat. 507

Work relief and relief. Additional appropriation for fiscal year 1939. 52 Stat. 809. 15 U. S. C., Supp. IV, ch. 16 (note). *Post*, p. 578.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to continue to provide work relief on useful public projects, and relief, as authorized in the Emergency Relief Appropriation Act of 1938, and subject to all of the provisions of such Act, there is hereby appropriated to the Works Progress Administration, out of any money in the Treasury not otherwise appropriated, the sum of $725,000,000, which amount shall be added to the $1,425,000,000 appropriated to that Administration in section 1, subsection 1, of such Emergency Relief Appropriation Act of 1938 and shall proportionately increase the amounts specified in limitations (1), (2), and (3), of (d) of subsection (1) of section 1 of such Act: . . .

* * *

⊥SEC. 2. Section 11 of the Emergency Relief Appropriation Act of 1938 is hereby amended to read as follows: ⊥508

52 Stat. 813.

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Aliens, restriction on employment.

Proviso.
Affidavit as to U.S. citizenship.

Preferences in employment.

"SEC. 11. No alien shall be given employment or continued in employment on any project prosecuted under the appropriations contained in the Emergency Relief Appropriation Act of 1938 or this joint resolution: *Provided*, That no part of the money herein appropriated shall be available to pay any person thirty days after the approval of this joint resolution who does not make affidavit as to United States citizenship, such affidavit to be considered prima facie evidence of such citizenship: *Provided further*, That preference in employment on such projects shall be given in the following order: (1) Veterans of the World War and the Spanish-American War and veterans of any campaign or expedition in which the United States has been engaged (as determined on the basis of the laws administered by the Veterans' Administration) who are in need and are American citizens: (2) other American citizens, Indians and other persons owing allegiance to the United States who are in need."

* * *

Approved, Feb. 4, 1939

[CHAPTER 10]

March 15, 1939
[H. R. 2868]

[Public, No. 7]
53 Stat. 512

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide supplemental appropriations for the fiscal year ending June 30, 1939, and for other purposes.

First Deficiency Appropriation Act, fiscal year 1939.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide supplemental appropriations for the fiscal year ending June 30, 1939, and for other purposes, namely:

* * *

1516 ⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

1517 ⊥AUDITED CLAIMS

Payment.

SEC. 204. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1936 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. V. 266), as fully set forth in ⊥Senate Document Numbered 10, Seventy-sixth Congress, there is appropriated as follows:

18 Stat. 110
31 U.S.C. 713.

22 Stat. 254
5 U.S.C. § 266

1518

* * *

1519 **⊥Department of the Interior:**

* * *

For maintenance, irrigation systems, Flathead Reservation, Montana (receipt limitation), $253.69.

For roads, Indian reservations, $21.59.

For conservation of health among Indians, $1,332.58.

For purchase and transportation of Indian supplies, $2,129.68.

1520 ⊥For suppressing liquor traffic among Indians, $4.

For maintenance, San Carlos irrigation project, Gila River reservation, Arizona (receipt limitation), $95.10.

For irrigation, Indian reservations (reimbursable), $106.20.

For industry among Indians, $616.92.

For Indian agency buildings, $268.61.
For pay of Indian police, $69.97.
For Indian school support, $1,169.23.
For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), $1,008.19.
For Indian service supply fund, $1,401.74.
For education of natives of Alaska, $120.65.
For medical relief of natives of Alaska, $25.
For Emergency conservation fund (transfer from War to Interior, Indians, Act March 31, 1933), $512.16. 48 Stat. 22
For Emergency conservation fund (transfer from War to Interior, Indians, Act June 19, 1934), $3,330.04. 48 Stat. 1021.
For support of Indians and administration of Indian property, $138.93.
For obtaining employment for Indians, $7.32.
For expenses of organizing Indian corporations, $29.11.
For general expenses, Indian service, $12.27.
For fulfilling treaties with Northern Cheyenne and Arapahoes, Montana, $41.13.
For Indian boarding schools, $334.52.
For expenses, sale of timber (reimbursable), $275.37.
For agriculture and stock raising among Indians, $9.85.
For administration of Indian forests, $51.41.
For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, $224.33.

* * *

Approved, March 15, 1939

[CHAPTER 11]

AN ACT

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1940, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1940, namely: Independent Offices Appropriation Act, 1940.

* * *

⊥SMITHSONIAN INSTITUTION

For expenses of the general administrative office; for the system of international exchanges between the United States and foreign countries; for continuing ethnological researches among the American Indians and the natives of Hawaii and the excavation and preservation of archeologic remains; for maintenance of the Astrophysical Observatory, including assistants, and making necessary observations in high altitudes; for cases, furniture, fixtures, and appliances required for the exhibition and safekeeping of collections; and for administration of the National Collection of Fine Arts; including personal services, purchase of books of reference and periodicals, traveling expenses, uniforms for guards, supplies and equipment, preparation of manuscripts, drawings, and illustrations, supplying of heating, lighting, electrical, telegraphic, and telephone service, ⊥repairs and alterations of buildings, shops, sheds, and approaches, and other necessary expenses, $356,620. Administrative expenses. Ethnological researches. Astrophysical Observatory. National Collection of Fine Arts. ⊥540

* * *

Approved March 16, 1939.

[CHAPTER 17]

AN ACT

March 27, 1939
[S. 876]

[Public, No. 10]
53 Stat. 551

To authorize the purchase of certain lands for the Apache Tribe of the Mescalero Reservation, New Mexico.

Apache Tribe of Mescalero Reservation, N. Mex.
Purchase of lands for authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized in his discretion to purchase with any available funds heretofore or hereafter appropriated pursuant to authority contained in section 5 of the Act of June 18, 1934 (48 Stat. L. 984), lots 1, 2, 3, and 4, north half northeast quarter southwest quarter northeast quarter, north half southeast quarter northeast quarter, north half southeast quarter southeast quarter northeast quarter, section 24, township 15 south, range 15 east, and lots 4, 5, and 6, section 19, township 15 south, range 16 east, New Mexico principal meridian, New Mexico. Title to the lands shall be taken in the name of the United States in trust for the Apache Tribe of the Mescalero Reservation.

48 Stat. 985.

Approved, March 27, 1939.

[CHAPTER 18]

AN ACT

March 27, 1939
[S. 1477]

[Public, No. 11]
53 Stat. 554

To repeal section 9 of the Act of March 3, 1875 (18 Stat. L. 450), as amended.

Indian Service.
Bidders, submission of certified checks, etc.; provision repealed.
18 Stat. 450.
25 U. S. C. § 95.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Act of March 3, 1875 (18 Stat. L. 450), as amended (U. S. C., title 25, sec. 95), providing for the submission by bidders of certified checks or bonds in the amount of 5 per centum of each proposal in excess of $5,000 for goods, supplies, transportation, and so forth, for and on account of the Indian Service, is hereby repealed.

Approved, March 27, 1939.

[CHAPTER 20]

AN ACT

March 28, 1939
[S. 877]

[Public, No. 13]
53 Stat. 552

To add certain public-domain land in Montana to the Rocky Boy Indian Reservation.

Rocky Boy Indian Reservation, Mont.
Certain public-domain land added.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby withdrawn from the public domain and added to the Rocky Boy Indian Reservation, in Montana, subject to all valid existing rights and claims, all public domain land in the following described area:

Description.

Sections 19 to 36, inclusive, township 31 north, range 14 east; sections 1 to 5, inclusive, sections 8 to 17, inclusive, sections 20 to 29, inclusive, sections 30 to 36, inclusive, township 30 north, range 13 east; townships 30 north, ranges 14 and 15 east; west half, southeast quarter section 6, section 7, west half west half section 8, west half northwest quarter, southwest quarter section 17, section 18, section 19, west half, west half east half section 20, sections 29 to 32, inclusive, township 30 north, range 16 east; sections 1 to 5, inclusive, sections 8 to 17, inclusive, sections 20 to 29, inclusive, sections 32 to 36, inclusive, township 29 north, range 13 east; township 29 north, range 14 east; northeast quarter, west half southeast quarter, west half section 5, section 6, section 7, west half, west half northeast quarter, southeast quarter section 8, sections 17 to 20, inclusive, sections 29 to 32, inclusive, township 29 north, range 16 east; sections 1 and 2, township 28 north, range 13 east, sections 1 to 30, inclusive, township 28 north, range 14 east; and sections 6 and 7, sections 17 to 20, inclusive, and

sections 29 and 30, township 28 north, range 15 east, Montana principal meridian.

Approved, March 28, 1939.

[CHAPTER 21]

AN ACT

March 28, 1939
[S. 1104]
[Public, No. 14]
53 Stat. 552

To provide for conveying to the United States the land, buildings, and improvements comprising the Choctaw and Chickasaw Sanatorium and General Hospital.

Choctaw and Chickasaw Sanatorium and General Hospital.
Conveyance of land, buildings, etc., to United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation be, and they are hereby, authorized to grant and convey to the United States of America, with the consent and approval of the Secretary of the Interior, not less than one hundred and sixty acres and all buildings and improvements thereon comprising the Choctaw and Chickasaw Sanatorium and General Hospital.

Approved, March 28, 1939.

[CHAPTER 22]

AN ACT

March 28, 1939
[S. 1146]
[Public, No. 15]
53 Stat. 553

To authorize an appropriation to pay non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924, but who have been found entitled to awards under said Act as supplemented by the Act of May 31, 1933.

Indian pueblos in New Mexico.
Non-Indian claimants, appropriation authorized for payment of increased compensation, etc., to certain.
43 Stat. 636.

48 Stat. 109.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum to compensate white settlers or non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924 (43 Stat. L. 636), but who have been found by the Secretary of the Interior, in conformity with the proviso to section 3 of the Act of May 31, 1933 (48 Stat. L. 108, 109), to be entitled to increased compensation by reason of errors in the amount of award previously allowed, or entitled to original awards by reason of errors in the omission of legitimate claimants, the non-Indian claimants, or their successors, as found and reported by the Secretary of the Interior, to be compensated out of said appropriation to be disbursed under the direction of the Secretary of the Interior in the amounts found to be due them, including $1,000 to be paid to Alberto Cruz for his house, as follows:

Alberto Cruz.
Payment to authorized.

Within the Pueblo of Taos, $9,733.05; within the Pueblo of San Felipe, $93; in all, $9,826.05: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 28, 1939.

[CHAPTER 107]

AN ACT

May 2, 1939
[H. R. 5219]
[Public, No. 61]
53 Stat. 626

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following

Second Deficiency Appropriation Act, fiscal year 1939

sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes, namely:

* * *

⊥627 ⊥TITLE I—GENERAL APPROPRIATIONS

* * *

⊥633 ⊥DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

Gila River Reservation, Ariz., maintenance of San Carlos irrigation project.

Maintenance, San Carlos irrigation project, Gila River Reservation, Arizona: For an additional amount for the operation and maintenance (including excess water charges for the calendar year 1937) of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $75,000, reimbursable, together with $67,975 (power revenues), from which latter amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $142,975.

48 Stat. 1227.
41 U. S. C. § 23a.

Irrigation systems on Indian reservations.

Irrigation systems on Indian reservations: For an additional amount for the construction, repair, and rehabilitation of irrigation systems on Indian reservations, including the same objects and limitations specified under this head in the Interior Department Appropriation Act, 1939, to remain available until June 30, 1940, as follows:

52 Stat. 307.

Colorado River Act.

Arizona: Colorado River, $1,000,000, reimbursable.

* * *

⊥644 ⊥TITLE III—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

⊥646 ⊥AUDITED CLAIMS

Payment.

SEC. 304. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1936 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 190, Seventy-sixth Congress, there is appropriated as follows:

18 Stat. 110.
31 U. S. C. § 713.

23 Stat. 254.
5 U. S. C. § 266.

* * *

⊥647 **⊥Department of the Interior:**

* * *

For conservation of health among Indians, $45.

For Indian school support, $12.30.

For purchase and transportation of Indian supplies, $25.58.

For Indian service supply fund, $894.81.

For Indian boarding schools, $1,103.89.

For emergency conservation fund (transfer from War to Interior, Indians, Act of June 19, 1934), $5.60.

48 Stat. 1021.

For expenses of organizing Indian corporations, and so forth, $17.30.

For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), $13.72.

For maintenance, Wapato irrigation and drainage system, and so forth, Yakima Reservation, Washington (receipt limitation), $2,288.39.

* * *

1649 Additional audited claims.

18 Stat. 110; 31 U. S. C. § 713.

23 Stat. 254; 5 U. S. C. § 266.

⊥(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1936 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 51, Seventy-sixth Congress, there is appropriated as follows:

* * *

⊥Department of the Interior:

1650 Department of the Interior.

* * *

For general expenses, Indian Service, $4.80.
For purchase and transportation of Indian supplies, $4.49.
For pay of Indian police, $23.41.
For agriculture and stock raising among Indians, $4.
For Indian schools, support, $6.
For Indian school buildings, $7.25.
For clinical survey of disease conditions among Indians, $3.87.
For conservation of health among Indians, $51.05.
For support of Indians and administration of Indian property, $116.14.
For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), $12.50.

* * *

Approved, May 2, 1939.

[CHAPTER 119]

AN ACT

May 10, 1939 [H. R. 4852]

[Public, No. 68] 53 Stat. 685

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1940, and for other purposes.

Interior Department Appropriation Act, 1940.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1940, namely:

* * *

⊥BUREAU OF INDIAN AFFAIRS

1693

SALARIES

Salaries.

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $533,100.

GENERAL EXPENSES

Traveling, etc., expenses.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $35,500.

Supplies, purchase, transportation, etc.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for

payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $750,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso
Restriction on payments

Maintenance of law and order on Indian reservations

For maintaining law and order on Indian reservations, including pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, and including traveling expenses, supplies, and equipment, $257,390.

Agency, etc., buildings.
Lease, purchase, etc.

For lease, purchase, construction, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands for agency purposes and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $200,000: *Provided*, That no part of this appropriation shall be available for the construction of any building the total cost of which is in excess of $1,500: *Provided further*, That no part of this appropriation shall be available for tearing down or removing any building or buildings at the Federal Indian School at Tomah, Wisconsin.

Provisos
Construction limitations.

Tomah, Wis., Indian school restriction

Tribal organizations, expenses

48 Stat. 986, 49 Stat. 378, 1250, 1967; 25 U. S. C. § 469, Supp. IV, §§ 478a, 478b, 18 U. S. C., Supp. IV, § 358a, 362, 25 U. S. C., Supp. IV, §§ 501–509

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), as supplemented and amended by the Acts of June 15, 1935 (49 Stat. 378), May 1, 1936 (49 Stat. 1250), and June 26, 1936 (49 Stat. 1967), including personal services, purchase of equipment and supplies, not to exceed $3,000 for printing and binding, and other necessary expenses, $80,000, of which not to exceed $18,000 may be used for personal services in the District of Columbia: *Provided*, That in the discretion of the Secretary of the Interior, not to exceed $3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work: *Provided further*, That no part of this appropriation shall be available for expenditure in ⊥that part of the State of New Mexico embraced in the Navajo Indian Reservation, and not to exceed $5,000 shall be available for expenditure in said State.

Services in the District
Provisos
Traveling allowances

Expenditures in New Mexico

Vehicles, Indian Service, maintenance

Vehicles, Indian Service: Not to exceed $479,800 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed $225,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Replacement of destroyed, etc., property

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Proviso
Report of diversions to Congress

Attendance at meetings

Authorization for attending health and educational meetings: Not to exceed $7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

William C. Willahan, payment to

For the relief of William C. Willahan, or his heirs, as authorized by and in conformity with sections 2, 3, and 4 of the Act of June 25, 1938

(Private Law Numbered 715, Seventy-fifth Congress), $855.23, or so much thereof as may be necessary. 52 Stat. 1395.

INDIAN LANDS

Purchase of land and water rights, and so forth, Pueblo Indians, New Mexico (tribal funds): The unexpended balance of the appropriation from the tribal funds to the credit of the Pojoaque Pueblo, New Mexico, contained in the Interior Department Appropriation Act, fiscal year 1939, for the purchase of additional land and water rights, the development of water for irrigation and domestic purposes, the purchase of equipment for industrial advancement, and for such other purposes, except per capita payments, as may be recommended by the governing officials of the Pueblo and be approved by the Commissioner of Indian Affairs, is hereby continued available for the same purposes and under the same conditions until expended. Pueblo Indians, N. Mex. Purchase of land and water rights, etc., from tribal funds. 52 Stat. 299.

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (48 Stat. 961), is hereby continued available for the same purposes until June 30, 1940. Navajo Indians, Ariz. Purchase of land, reimbursable. Reappropriation. 48 Stat. 1023. 48 Stat. 960.

Purchase of land for the Navajo Indians, Arizona (tribal funds): The unexpended balance of the appropriation of $40,000 from funds to the credit of the Navajo tribe, contained in the Interior Department Appropriation Act, fiscal year 1939, for the purchase, in accordance ⊥with the provisions of the Act of June 14, 1934 (48 Stat. 961), of lands from the New Mexico and Arizona Land Company within the Navajo Indian Reservation, Arizona, is hereby continued available for the same purpose and under the same conditions until June 30, 1940. Purchase of land, from tribal funds. 52 Stat. 300. ⊥695 48 Stat. 960.

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, $20,000, payable from funds on deposit to the credit of the Navajo Tribe. Lease of lands and water rights.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 985), including personal services, purchase of equipment and supplies, and other necessary expenses, $650,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1939, of which not to exceed $25,000 shall be available for personal services in the District of Columbia: *Provided,* That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of $300,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the Act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created: *Provided further,* That no part of the sum herein appropriated or of this contract authorization shall be used for the acquisition of land within the States of Arizona, Colorado, New Mexico, and Wyoming outside of the boundaries of existing Indian reservations. Acquisition of lands. 48 Stat. 984. Balance reappropriated. 52 Stat. 300. *Provisos.* Contracts. 48 Stat. 984. Restriction on use of funds.

The unexpended balance of the appropriation of $25,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for the payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, when such land was purchased with trust or restricted funds with the understanding that Restricted lands, balance for payment of taxes, etc., continued available. 50 Stat. 573.

49 Stat. 1542.
25 U. S. C., Supp. IV, § 412a

after purchase it would be nontaxable, as authorized by the Act of June 20, 1936 (49 Stat. 1542), is hereby continued available for the same purposes until June 30, 1940.

Confederated Bands of Utes, Utah.
Purchase of additional lands, etc.
52 Stat. 300.

Purchase of land, Confederated Bands of Utes, Utah (tribal funds): The unexpended balances of the amounts authorized to be expended by the Interior Department Appropriation Act for the fiscal year 1939 for the purchase of additional lands and improvements for the Confederated Bands of Ute Indians in Utah, are hereby continued available for the same purposes, and for the purchase of improvements on public-domain lands, June 30, 1940.

Cheyenne River Reservation, S. Dak.
Purchase of land, etc.
52 Stat. 300.

Purchase of land, Cheyenne River Reservation, South Dakota (tribal funds): The unexpended balances of the appropriations from tribal funds of the Cheyenne River Indians, South Dakota, available during the fiscal year 1939 for the purchase of Indian-owned and privately owned land; and improvements thereon, in the Cheyenne River Reservation, South Dakota, are hereby continued available for the same purposes and under the same conditions, until June 30, 1940.

Fort Hall Reservation, Idaho.
Purchase of land, etc.
52 Stat. 1130.

Purchase of land, Fort Hall Reservation, Idaho (tribal funds): The unexpended balance of the appropriation of $40,000 contained in the Second Deficiency Appropriation Act, fiscal year 1938, for the purchase of Indian-owned and privately owned lands or interests [1] therein, and improvements thereon, payable from funds on deposit to the credit of the Fort Hall Indians, is hereby continued available, for the same purposes and under the same conditions, until June 30, 1940.

[1] 696

Southern Ute Indians, Colo.
Purchase of land for.
52 Stat. 1130.

Purchase of land for the Southern Ute Indians, Colorado (tribal funds): The unexpended balance of the appropriation of $20,000 contained in the Second Deficiency Appropriation Act, fiscal year 1938, for the purchase of land and improvements thereon for the Southern Ute Indians in Colorado, payable from funds on deposit to the credit of the Southern Ute Band of Ute Indians, is hereby continued available, for the same purposes and under the same conditions, until June 30, 1940.

Ute Mountain Indians, Colo.
Purchase of land for.
52 Stat. 1130.

Purchase of land for Ute Mountain Indians, Colorado (tribal funds): The unexpended balance of the appropriation of $20,000 contained in the Second Deficiency Appropriation Act, fiscal year 1938, for the purchase of land and improvements thereon for the Ute Mountain Band of Indians in Colorado, payable from funds on deposit to the credit of the Ute Mountain Band, is hereby continued available, for the same purposes and under the same conditions, until June 30, 1940.

Yakima Reservation, Wash., boundary survey.

For completion of a survey of the disputed boundary of the Yakima Reservation, Washington, $4,000, payable from funds on deposit in the Treasury to the credit of the Yakima Indian Tribe.

Improvement of land records.

Improvement of land records: For improvement of the land records in the Bureau of Indian Affairs, including personal services in the District of Columbia, printing and binding, purchase of equipment and supplies, and such other expenses as may be necessary to make permanent the land records of the Indian Service, $10,000.

Loyal Shawnee Indians, Okla., payment to.
16 Stat. 105.

15 Stat. 516.

45 Stat. 1550.

Payment to loyal Shawnee Indians, Oklahoma: The unexpended balance of the appropriation of $109,746.25 contained in the First Deficiency Appropriation Act, fiscal year 1930, for payment to the loyal Shawnee Indians, in settlement of their claim arising under the twelfth article of the treaty with said Indians proclaimed October 14, 1868 (15 Stat. 513), as authorized by and in accordance with the Act of March 4, 1929 (45 Stat. 1550), is hereby reappropriated and made available until expended for the purposes authorized by the said Act of March 4, 1929.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general

administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, $341,500: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso.
Restriction on use of funds.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $120,000, reimbursable to the United States as provided in the Act of February 14, 1920 (25 U. S. C. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

Timber sales, etc., expenses, reimbursable.

41 Stat. 415; 25 U. S. C. § 413.

Proviso.
Rewards for information.

⊥For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $15,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations shall be available upon the approval of the Secretary of the Interior, for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

1697.

Suppression, etc., of forest fires.

Proviso.
Additional amount available.

Report of diversions to Congress.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (25 U. S. C. 336, 371, 397), May 27, 1908 (35 Stat. 312), March 3, 1909 (25 U. S. C. 396), and other Acts authorizing the leasing of such lands for mining purposes, including not to exceed $5,000 for the purchase and exchange (not to exceed $2,000), maintenance, repair, and operation of passenger-carrying vehicles, and not to exceed $11,000 for personal services in the District of Columbia, $100,000, to be reimbursed under the provisions of the Act of February 14, 1920, as amended (25 U. S. C. 413), except that reimbursement shall not be required for expenditures in connection with nonproductive Indian lands.

Geological Survey.
Transfer of sums to, for supervising mining operations.

26 Stat. 794; 35 Stat. 312, 783; 25 U. S. C. §§ 336, 371, 396, 397.

Vehicles.

Services in the District.
Reimbursement.
41 Stat. 415; 25 U. S. C. § 413.

For the purpose of obtaining remunerative employment for Indians, $40,500.

Obtaining employment for Indians.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $675,000, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation.

Development of agriculture and stock raising.
Agricultural experiments and demonstrations.

Navajo sheep-breeding station.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $175,000, which sum may be advanced to Indians for the purchase of seeds, animals, machinery, tools, implements, and other equipment; for advances to old, disabled, or indigent Indian allottees for their support; and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof: *Provided*, That except for the Navajo Indians in Arizona and New Mexico not to exceed $25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe

Loans to encourage industry, etc.

Provisos.
Limitation, exception.

Advances to Indian youths for educational purposes.

of Indians: *Provided further*, That not to exceed $15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Reimbursement.

Industrial assistance.
Construction of homes, purchase of seed, equipment, etc.
Advances to old, etc., Indians.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $200,000, payable from tribal funds as follows: San Carlos, Arizona, $90,000; Menominee, Wisconsin, $100,000; Lac Court Orielles, Wisconsin, $10,000, and ⊥the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1939, and the Second Deficiency Act, fiscal year 1938, are hereby continued available during the fiscal year 1940 for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1940 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved by the Secretary of the Interior, and revenues derived therefrom shall be covered into the Treasury to the credit of the respective tribes: *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for making loans to members of the tribal corporation under rules and regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the aforesaid $100,000 for advances to individual members of the Menominee Tribe of Wisconsin shall be advanced under rules and regulations approved by the advisory council of the Menominee Indians and the Commissioner of Indian Affairs: *Provided further*, That in no event shall the "Menominee 5 per centum log fund" be used for this purpose.

⊥698

52 Stat. 302, 1130.

Proviso.
Advances to Indian youths for educational courses, reimbursement.

Credits and availability.

Establishment, etc., of tribal enterprises.

Loans from revolving fund.

48 Stat. 986.
25 U. S. C. § 470.
Registration of benefits to Menominee Tribe, Wis.

Menominee 5 per centum log fund not to be used.

Revolving loan fund, additional amount.

For an additional amount to be added to the appropriations heretofore made, for the establishment of a revolving fund for the purpose of making and administering loans to Indian chartered corporations in accordance with the Act of June 18, 1934 (48 Stat. 986), and of making and administering loans to individual Indians and to associations or corporate groups of Indians of Oklahoma in accordance with the Act of June 26, 1936 (49 Stat. 1967), $400,000, of which amount not to exceed $22,500 shall be available for personal services in the District of Columbia, and $100,000 shall be available for personal services in the field, for traveling expenses of employees, for purchase of equipment and supplies, and for other necessary expenses of administering such loans, including not more than $3,500 for printing and binding: *Provided*, That hereafter no individual of less than one-quarter degree of Indian blood shall be eligible for a loan from funds made available

48 Stat. 986.

Loans to individual Indians, etc.

49 Stat. 1967.
25 U. S. C., Supp. IV, § 501.
Services in the District.

Proviso.
Individuals of less than one-quarter degree of Indian blood.

in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), and the Act of June 26, 1936 (49 Stat. 1967).

Indian arts and crafts, development.
49 Stat. 891.
25 U. S. C., Supp. IV, § 305.

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat. 891), including personal services, purchase and transportation of equipment and supplies, purchase of periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, including payment of actual transportation expenses, not to exceed $2,500 for printing and binding, and other necessary expenses, ⊥$46,250, of which not to exceed $16,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $7,500 per annum: *Provided further*, That hereafter any appropriation for the development of Indian arts and crafts, made pursuant to the Act of August 27, 1935 (49 Stat. 891), shall be available for the payment of not to exceed $10 per diem in lieu of subsistence and other expenses of members of the Indian Arts and Crafts Board, serving without other compensation from the United States while absent from their homes on official business of the Board.

Vehicles.

Printing and binding.
⊥699.

Proviso.
Salary limitation.

Indian Arts and Crafts Board, expenses.
49 Stat. 891.
25 U. S. C., Supp. IV, § 305.

Suppressing contagious diseases among livestock of Indians.
50 Stat. 221.

Suppressing contagious diseases among livestock of Indians: The unexpended balance of the appropriation of $7,500 contained in the Second Deficiency Appropriation Act, fiscal year 1937, for reimbursing Indians of the Mescalero Reservation, New Mexico, for stock destroyed on account of being infected with Malta fever, and for expenses in connection with the eradication and prevention of this disease, is hereby made available for the same purposes for the fiscal year 1940.

DEVELOPMENT OF WATER SUPPLY

Development and conservation in Arizona, New Mexico, and Utah.

For the development, rehabilitation, repair, maintenance, and operation of domestic and stock water facilities on the Navajo Reservation in Arizona, New Mexico, and Utah, the Hopi Reservation in Arizona, the Papago Reservation in Arizona, and the several Pueblos in New Mexico, including the purchase and installation of pumping and other equipment, $100,000.

IRRIGATION AND DRAINAGE

Construction, maintenance, etc., of designated projects.
Post, p. 1314.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Miscellaneous projects.
Limitation.

Miscellaneous projects, $20,000; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Ganado, $1,500, together with $1,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $13,500; San Xavier, $2,000; California: Coachella Valley, $1,000; Morongo, $4,000; Pala and Rincon, $3,500, together with $500, from which expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Colorado: Southern Ute, $13,000, together

48 Stat. 1227.
31 U. S. C. § 725c.

with $3,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the said Repeal Act; Montana: Tongue River, $3,000; Nevada: Pyramid Lake, $4,000; Walker River, $6,000; Western Shoshone, $10,000; New Mexico: Miscellaneous Pueblos, $27,500; Oregon: Warm Springs, $3,000; Washington: Colville, $5,000, together with $1,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act: Lummi Diking Project, $1,000, together with $2,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act;

Administrative expenses.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $75,000;

Total; reimbursable.

In all, for irrigation on Indian reservations, not to exceed $208,500, reimbursable: *Provided,* That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further,* That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Provisos.
Amounts interchangeable, limitation.

Apportionment of expenses on per-acre basis.

Unpaid charges a first lien.

San Carlos project, Ariz.
Maintenance, etc.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $140,000 (operation and maintenance collections) and $180,000 (power revenues), of which latter sum not to exceed $24,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amount, of $140,000 and $180,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $320,000.

Emergencies.

Limitation.

48 Stat. 1227.
31 U. S. C. § 725c.

Pima Indians, Ariz.
Subjugation and cropping operations on lands of.

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed $200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Irrigation operation, etc., charges.

Colorado River Reservation, Ariz.
Maintenance, etc., of system.
36 Stat. 273.
Reimbursable.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat. 273), $20,000, reimbursable, together with $20,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

San Carlos Reservation, Ariz.
Operation, etc., of pumping plants.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, $5,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided,* That the sum so used shall be reimbursed to the tribe by the Indians benefited under such rules and regulations as the Secretary of the Interior may prescribe.

Proviso.
Reimbursement.

For reclamation and maintenance charges on Indian lands within

the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $3,500, reimbursable.

Yuma Reservation, Calif.-Ariz.
Reclamation, etc., charges.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $43,000, together with $25,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Hall system, Idaho.
Maintenance, etc.
Limitation.
48 Stat. 1227.
31 U. S. C. § 725c.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $14,800, reimbursable, together with $4,200 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Belknap Reservation, Mont.
Maintenance, etc., of systems.
Limitation.
48 Stat. 1227.
31 U. S. C. § 725c.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, $19,000, reimbursable, together with $3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project, Mont.
Maintenance, etc.
Limitation.
48 Stat. 1227.
31 U. S. C. § 725c.

For the improvement, maintenance, and operation of the irrigation systems on the Blackfeet Indian Reservation in Montana, $15,000, reimbursable, together with $6,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Blackfeet Reservation, Mont.
Maintenance, etc., of systems.
Limitation.
48 Stat. 1227.
31 U. S. C. § 725c.

For operation and maintenance of the irrigation and power systems on the Flathead Reservation, Montana, $10,000, reimbursable, together with $120,000 (operation and maintenance collections) and $75,000 (power revenues), from which amounts of $120,000 and $75,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $205,000.

Flathead Reservation, Mont.
Maintenance, etc.
Limitation.
48 Stat. 1227.
31 U. S. C. § 725c.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $5,000, reimbursable, together with $35,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Crow Reservation, Mont.
Maintenance, etc.
Reimbursable.
Limitation.
48 Stat. 1227.
31 U. S. C. § 725c.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, $6,053, to be immediately available; in all, $11,434.

Newlands project, Nev.
Payment of charges against Paiute lands.
Drains to Truckee-Carson district.

For operation and maintenance of the Hogback irrigation project on the Navajo Reservation in New Mexico, $15,000, reimbursable, together with $5,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Navajo Reservation, N. Mex.
Operation of Hogback project.
48 Stat. 1227.
31 U. S. C. § 725c.

For maintenance and operation of the Fruitlands irrigation project, Navajo Reservation, New Mexico, $14,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fruitlands project, N. Mex.
Maintenance, etc.
Limitation.
48 Stat. 1227.
31 U. S. C. § 725c.

For operation and maintenance assessments on Indian lands, and the buildings and grounds of the Albuquerque Indian School, within the Middle Rio Grande Conservancy District, New Mexico, $10,139, of

Middle Rio Grande Conservancy District, N. Mex.
Maintenance, etc.

which amount $7,168 shall be reimbursed in accordance with existing law.

Final payment to.

For final payment to the Middle Rio Grande Conservancy District, New Mexico, in accordance with the provisions of the Acts of March 13, 1928 (45 Stat. 312), and June 20, 1938 (52 Stat. 778–779), to be immediately available, $36,000, of which $15,529.29 shall be reimbursed to the United States in accordance with existing law; and the unexpended balance of the appropriation of $311,452 for payment to the Middle Rio Grande Conservancy District contained in the Act ⊥of May 9, 1935 (49 Stat. 188), is hereby reappropriated and made available for the same purposes during the fiscal year 1940.

45 Stat. 312; 52 Stat. 778.
Reimbursement.
Unexpended balance reappropriated.
⊥702
49 Stat. 188.

Klamath Reservation, Oreg.
Operation of projects, etc., reimbursable.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, Oregon, $3,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek and Modoc Point units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Uncompahgre, etc., Utes, Utah.
Irrigation of allotted lands.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat. 375), $20,000, reimbursable, together with $38,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

34 Stat. 375.
Reimbursable.

Yakima Reservation, Wash.
Wapato system, maintenance, etc.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $164,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.
Reimbursement to reclamation fund for reservoir maintenance, etc.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat. 604), $11,000.

38 Stat. 604.
Wind River Reservation, Wyo.
Maintenance, etc.

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district and the Big Bend drainage district on the ceded reservation, $30,000, reimbursable, together with $20,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Riverton-Le Clair district.
Big Bend district.

48 Stat. 1227.
31 U. S. C. § 725c.

Construction, repair, etc., of designated projects.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Arizona.
49 Stat. 1039.

Arizona: Colorado River, as authorized by and in accordance with section 2 of the River and Harbor Act, approved August 30, 1935 (49 Stat. 1039, 1040), $1,500,000, reimbursable; Hopi, $25,000, reimbursable; Navajo, Arizona and New Mexico, $50,000, reimbursable; domestic and stock water, $50,000, reimbursable; Papago, domestic and stock water, $20,000, reimbursable; Salt River, $10,000, reimbursable; San Xavier, $30,000, reimbursable;

California: Mission, $10,000, reimbursable; Sacramento, $10,000, reimbursable; Owens Valley (Carson Agency, Nevada), $75,000, reimbursable; California

Colorado: Southern Ute, $25,000, reimbursable; Colorado

Montana: Crow: The Secretary of the Interior may incur obligations and enter into a contract or contracts not exceeding $500,000 for the completion of a storage dam and reservoir on the Crow Indian Reservation, Montana, at a total cost of not to exceed $1,000,000, and his action in so doing shall be deemed a contractual obligation of the ⊥Federal Government for the payment of the cost thereof, and appropriations hereafter made for this project shall be available for the purpose of discharging the obligation or obligations so created; Flathead, $500,000, reimbursable; Fort Belknap, $19,000, reimbursable; Blackfeet, $50,000, reimbursable; Fort Peck, $50,000, reimbursable; Montana

Crow Reservation dam

⊥703

Nevada: Western Shoshone, $25,000, reimbursable; Walker River, $10,000, reimbursable; Pyramid Lake, $75,000, reimbursable; Nevada

New Mexico: Mescalero, $10,000, reimbursable; Pueblo, $75,000, reimbursable; New Mexico

Utah: Uintah, $20,000, reimbursable; Utah

Washington: Wapato, $200,000, reimbursable; Colville, $25,000, reimbursable; Washington

Wyoming: Wind River, $15,000, reimbursable; Wyoming

Miscellaneous garden tracts, $60,000, reimbursable; Miscellaneous garden tracts.

For surveys, investigations, and administrative expenses, including personal services in the District of Columbia and elsewhere, and not to exceed $3,000 for printing and binding, $125,000, reimbursable; Surveys, investigations, etc.

Printing and binding

In all, $3,064,000, to be immediately available, which amount, together with the unexpended balances of funds made available under this head in the Interior Department Appropriation Act, fiscal year 1939, shall remain available until June 30, 1940: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Secretary of the Interior, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 per centum. Availability

52 Stat. 307

Appropriations interchangeable

EDUCATION

For the support of Indian schools not otherwise provided for, and for other Indian educational purposes, including apprentice teachers for reservation and nonreservation schools, educational facilities authorized by treaty provisions, care of Indian children of school age attending public and private schools, and tuition and other assistance for Indian pupils attending public schools, $6,034,790: *Provided*, That not to exceed $20,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That $60,000 of this appropriation shall be available for subsistence of pupils in reservation and nonreservation boarding schools during summer months: *Provided further*, That not more than $15,000 of the amount herein appropriated may be expended for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (41 U. S. C. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public and private schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient: *Provided further*, That not to exceed $10,000 of this appropriation may be used for printing and binding (including illustrations) in authorized Indian-school printing plants: *Provided further*, That no part of any appropriation in this Act for the Bureau of Indian

Support of Indian schools, etc.

Provisos.
Deaf and dumb or blind, etc.

Subsistence, boarding schools

Vocational, etc., courses, tuition

Formal contracts not required.
R. S. § 3744.
41 U. S. C. § 16.

Printing and binding, limitation

Travel outside continental United States, limitation

Affairs shall be available for expenses of travel for the study of educational systems or practices outside the continental limits of the United States and the Territory of Alaska.

Support of schools from tribal funds.

Support of Indian schools from tribal funds: For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, [1] tuition and other assistance for Indian pupils attending public schools, and support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than $305,250, including not to exceed $63,750 for payment of tuition for Chippewa Indian children enrolled in public schools and care of children of school age attending private schools in the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat. 645): *Provided*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (41 U. S. C. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public schools, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

44 Stat. 560.
25 U. S. C. § 155.
Chippewas in Minnesota.

25 Stat. 645.
Proviso.
Formal contracts not required.
R. S. § 3744.
41 U. S. C. § 16.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $2,000, payable from funds held in trust by the United States for the Osage Tribe.

Saint Louis Mission Boarding School, Okla.
Osage pupils.

Vocational and trade schools, educational loans; reimbursable.

For reimbursable loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, including colleges and universities offering recognized vocational, trade, and professional courses, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), and for apprentice training in manufacturing and other commercial establishments, $135,000: *Provided*, That not more than $50,000 of the amount available for the fiscal year 1940 shall be available for loans to Indian students pursuing liberal-arts courses in high schools and colleges: *Provided further*, That advances made under this authorization shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

48 Stat. 986.
25 U. S. C. § 471.
Provisos.
Liberal-arts courses.
Advances reimbursable.

School buildings.
Lease, improvement, etc.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands for school purposes and the installation, repair, and improvement of heating, lighting, power, sewer, and water systems in connection therewith, and including not to exceed $15,000 for the purchase of materials for the use of Indian pupils in the construction of buildings (not to exceed $1,500 for any one building) at Indian schools not otherwise provided for, $462,200: *Provided*, That the foregoing appropriation, and appropriations in this Act for repairs and improvements at nonreservation boarding schools, shall be available to provide sponsor's contributions to projects for the construction, repair, or improvement of Indian school buildings approved by and carried on under funds of the Works Progress Administration or the National Youth Administration.

Proviso.
Construction, etc., under Works Progress Administration or National Youth Administration.

Nonreservation boarding schools.
Support, etc., of designated.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Ariz.

Phoenix, Arizona: For four hundred and fifty pupils, including not to exceed $2,500 for printing and issuing school paper, $154,750; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,000; for printing equipment, $6,000; in all, $185,750;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For six hundred and fifty

pupils, including not to exceed $2,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $23,500; for printing equipment, $6,000; in all, $250,500;

⊥Haskell Institute, Lawrence, Kansas: For six hundred and twenty-five pupils, including not to exceed $2,500 for printing and issuing school paper, $212,500; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $25,000; in all, $237,500; ⊥705 Haskell Institute, Lawrence, Kans.

Pipestone, Minnesota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $16,000; in all, $113,750; Pipestone, Minn.

Carson City, Nevada: For five hundred and twenty-five pupils, $168,500; for pay of principal, drayage, and general repairs and improvements, $20,000; for the purchase of land and improvements, including water rights, livestock and farm equipment, and for the development of a farm unit, including the erection of improvements and the purchase of machinery and equipment, $50,000; in all, $238,500; Carson City, Nev.

Albuquerque, New Mexico: For six hundred pupils, $204,000; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,000; for the purchase of land and improvements thereon, $37,500; in all, $266,500; Albuquerque, N. Mex.

Santa Fe, New Mexico: For four hundred pupils, $142,000; for drayage, and general repairs and improvements, $15,000; in all, $157,000; Santa Fe, N. Mex.

Wahpeton, North Dakota: For three hundred pupils, $97,250; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $110,250; Wahpeton, N. Dak.

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $25,000; in all, $246,000; Chilocco, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of State of Oklahoma belonging to the restricted class, $114,250; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $129,250; Sequoyah Orphan Training School, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $57,525; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $64,525; Carter Seminary, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $41,025; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $48,025; Euchee, Okla.

Eufaula, Oklahoma: For one hundred and forty pupils, $48,650; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $55,650; Eufaula, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $61,125; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $68,125; Jones Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $45,050; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $52,050; Wheelock Academy, Okla.

Chemawa, Oregon: For four hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $152,250; for local vocational-training program directed from the school, $10,000; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $182,250; Chemawa, Oreg.

Flandreau, South Dakota: For four hundred and fifty pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $19,000; in all, $178,750; Flandreau, S. Dak.

Pierre, S. Dak.

Pierre, South Dakota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $16,000; in all, $113,750;

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Total, nonreservation boarding schools.

⊥In all, for above-named nonreservation boarding schools, not to exceed $2,698,125: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Proviso.
Sums interchangeable.

Report to Congress.

Public and special Indian day schools, Five Civilized Tribes, etc., tuition.

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $397,200, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That not to exceed $21,500 may be expended for the payment of salaries of public-school teachers, employed by the State, county, or district in special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance.

Proviso.
Employment of public school teachers when facilities made quate.

Alaska natives.
Support, education, relief of destitution, etc.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, $951,380, to be immediately available and to remain available until June 30, 1941: *Provided*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution.

Miscellaneous expenses.

Proviso.
Report to Congress.

CONSERVATION OF HEALTH

Designated expenses.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $25,000 for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $5,088,170, including not to exceed $3,743,000 for the following-named hospitals and sanatoria:

Suppressing trachoma, etc.

Allotments to specified hospitals.

Arizona.

Arizona: Indian Oasis Hospital, $27,260; Kayenta Sanatorium, $52,000; Fort Defiance Sanatorium and Southern Navajo General Hospital, $268,780; Phoenix Sanatorium, $107,560; Pima Hospital, $27,600; Truxton Canyon Hospital, $14,000; Western Navajo Hospital, $35,700; Chin Lee Hospital, $16,620; Fort Apache Hospital, $29,700; Hopi Hospital, $40,000; Leupp Hospital, $27,800; San Carlos Hospital, $32,300; Tohatchi Hospital, $17,200; Colorado River Hospital, $22,000; San

Xavier Sanatorium, $45,000; Phoenix Hospital, $42,000; Winslow Sanatorium, $60,000:

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California: Hoopa Valley Hospital, $25,000; Soboba Hospital, $25,620; Fort Bidwell Hospital, $25,000; Fort Yuma Hospital, $22,000;

California

Colorado: Ute Mountain Hospital, $15,000; Edward T. Taylor Hospital, $25,000;

Colorado

Idaho: Fort Lapwai Sanatorium, $90,000; Fort Hall Hospitals, $15,900;

Idaho

Iowa: Sac and Fox Sanatorium, $75,000;

Iowa

Minnesota: Pipestone Hospital, $22,500; Cass Lake Hospital, $30,000; Fond du Lac Hospital, $25,000; Red Lake Hospital, $22,500; White Earth Hospital, $22,000;

Minnesota

Mississippi: Choctaw Hospital, $25,000;

Mississippi.

Montana: Blackfeet Hospital, $45,000; Fort Peck Hospital, $26,400; Crow Hospital, $32,000; Fort Belknap Hospital, $30,000; Tongue River Hospital, $28,000;

Montana

Nebraska: Winnebago Hospital, $47,000;

Nebraska

Nevada: Carson Hospital, $27,000; Walker River Hospital, $25,000; Western Shoshone Hospital, $20,000;

Nevada

New Mexico: Albuquerque Sanatorium, $104,660; Jicarilla Hospital and Sanatorium, $62,620; Mescalero Hospital, $23,000; Eastern Navajo Hospital, $55,000; Northern Navajo Hospital, $45,000; Taos Hospital, $20,000; Zuñi Hospital, $35,000; Albuquerque Hospital, $50,000; Charles H. Burke Hospital, $30,000; Santa Fe Hospital, $44,000; Toadlena Hospital, $13,000;

New Mexico

North Carolina: Cherokee Hospital, $25,000;

North Carolina

North Dakota: Turtle Mountain Hospital, $41,600; Fort Berthold Hospital, $18,000; Fort Totten Hospital, $23,000; Standing Rock Hospital, $38,000; Fort Totten Preventorium, $20,000;

North Dakota

Oklahoma: Cheyenne and Arapahoe Hospital, $36,000; Choctaw and Chickasaw Sanatorium and General Hospital, $195,000; Shawnee Sanatorium, $100,000; Claremore Hospital, $76,300; Clinton Hospital, $22,000; Pawnee and Ponca Hospital, $38,000; Kiowa Hospital, $130,000; William W. Hastings Hospital, $70,000;

Oklahoma

Oregon: Warm Springs Hospital, $20,000;

Oregon.

South Dakota: Crow Creek Hospital, $22,000; Pine Ridge Hospital, $53,000; Rosebud Hospital, $45,000; Yankton Hospital, $23,000; Cheyenne River Hospital, $35,000; Sioux Sanatorium, $140,000; Sisseton Hospital, $33,000;

South Dakota

Utah: Uintah Hospital, $30,000;

Utah.

Washington: Yakima Sanatorium, $40,000; Tacoma Sanatorium, $225,000; Tulalip Hospital, $12,600; Colville Hospital, $35,000;

Washington

Wisconsin: Hayward Hospital, $40,600; Tomah Hospital, $32,620;

Wisconsin

Wyoming: Wind River Hospital, $29,620:

Wyoming.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation: *Provided further*, That in the discretion of the Secretary of the Interior and under such rules and regulations as may be prescribed by him, fees may be collected from Indians for medical, hospital, and dental service and any fees so collected shall be covered into the Treasury of the United States.

Provisos.
Sums interchangeable.

Report to Congress.

Hospitalization of pupils, basis of contribution.

Fees for medical, etc., services.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service,

Medical relief in Alaska.

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Hospital buildings, etc.

⊥to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $440,000, to be available immediately and to remain available until June 30, 1941.

Availability.

Reindeer service.

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, including $3,000 for the purchase and distribution of reindeer, $75,000, to be immediately available, and to remain available until June 30, 1941.

GENERAL SUPPORT AND ADMINISTRATION

General support and administration.

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $2,743,700: *Provided*, That in the discretion of the Secretary of the Interior, and under such rules and regulations as may be prescribed by him, fees may be collected from individual Indians for services performed for them, and any fees so collected shall be covered into the Treasury of the United States.

Proviso.
Fees for services.

Support of Indians, etc., under specified agencies, from tribal funds.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona

Arizona: Fort Apache, $54,000; Navajo, $2,500 for all necessary expenses of holding a tribal fair, including erection of structures, awards for exhibits and events, feeding of livestock, and labor and materials; Pima (Camp McDowell), $300; San Carlos, $60,000; Truxton Canyon, $6,500; in all, $123,300;

California

California: Mission, $20,000;

California
Post, p. 1315.
Colorado.
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Colorado: Consolidated Ute (Southern Ute), $78,000, including purchase of land, the subjugation thereof, and the construction of improvements thereon;

Florida.

Florida: Seminole, $6,000, including the purchase of cattle for the establishment of a tribal herd;

Idaho.

Idaho: Fort Hall, $4,000 for the purchase of equipment, materials, and supplies for the eradication of noxious weeds;

Iowa.

Iowa: Sac and Fox, $2,000;

Montana.

Montana: Flathead, $24,000;

Nevada.

Nevada: Carson, the unexpended balances of the appropriations under this head for the Walker River, Summit Lake, and Pyramid Lake Indians, for the fiscal year 1938 are hereby continued available for the same purposes until June 30, 1940; Western Shoshone, $3,000;

North Carolina.

North Carolina: Cherokee, $8,000;

Oklahoma.

Oklahoma: Seminole, $7,787 for reconstruction of community house;

Oregon.
Post, p. 1315.
Utah.

Oregon: Klamath, $93,760;

Utah: Uintah and Ouray, $10,000, of which amount not to exceed $3,000 shall be available for the payment of an agent employed under a contract approved by the Secretary of the Interior;

Washington.

Washington: Puyallup, $1,000 for upkeep of the Puyallup Indian cemetery; Taholah, $24,650 (Makah, $9,500; Shoalwater, $15,150); Yakima, $250; Tulalip, $1,000; in all, $26,900;

Wisconsin.
Post, p. 1315.

Wisconsin: Keshena, $71,500, including $20,000 for monthly allowances, under such rules and regulations as the Secretary of the Inte-⊥rior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends;

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In all, not to exceed $478,247.

Quinaielt Reservation, Wash: expenses of attorney

Expenses of attorneys, Quinaielt Reservation, Washington (tribal funds): The unexpended balance of the appropriation of $1,500 of the funds on deposit to the credit of the Quinaielt Indians, Washington, contained in the Second Deficiency Appropriation Act, fiscal year 1938, for expenses incurred by the attorney of record in prosecuting the claims of the Quinaielt Tribe in the Court of Claims, as authorized by the Act of February 12, 1925 (43 Stat. 886), is hereby continued available, for the same purposes and under the same conditions, until expended.

52 Stat. 1131.

43 Stat. 886.

Chippewas in Minnesota; and in school attendance, etc.

Relief of Chippewa Indians in Minnesota (tribal funds): Not to exceed $40,000 of the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat. 645), may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians including boarding-home care of pupils attending public or high schools.

25 Stat. 645.

Relief of needy Indians

Relief of needy Indians: For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $100,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, United States Revised Statutes, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

Proviso.
Expenditures.
R. S. § 3709.
41 U. S. C. § 5.
46 Stat. 391.
18 U. S. C. § 744a.

Attorneys

For compensation and expenses of an attorney or attorneys employed by the Chippewa Tribe under a contract, approved by the Secretary of the Interior on April 15, 1937, $6,000, or so much thereof as may be necessary, payable from the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat. 645), and the amount herein appropriated shall be available for compensation earned and expenses incurred during the period covered by said contract.

25 Stat. 645.
Availability.

Five Civilized Tribes, Okla.
Expenses of tribal officers, from tribal funds.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Chocktaw and Chickasaw Nations, at salaries at the rate heretofore paid for the said governor and said chief and $3,000 for the said mining trustee, chief of the Creek Nation at $600 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each: *Provided further*, That so much as may be necessary may be expended from the tribal funds of the Creek Nation for payment of the salary of the principal chief for the period from February 12, 1935, to June 30, 1936.

Provisos.
Limitation on expenses.

Principal chief, salary for designated period.

Osage Agency, Okla.
Agency, etc., expenses.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage ⊥Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, $189,680, payable from

⊥710

funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That not more than $1,800 may be used for the employment of a curator for the Osage Museum, which employee shall be an Osage Indian and shall be appointed without regard to civil-service laws and regulations upon the recommendation of the Osage tribal council: *Provided further*, That this appropriation shall be available, for traveling and other expenses, including not to exceed $5 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, of members of the tribal council and other members of the tribe, when engaged on tribal business, including visits to the District of Columbia when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Provisos
Employment of curator for Museum

Travel, etc.

Rehabilitation of needy Choctaw Indians, Okla.

Rehabilitation of needy Choctaw Indians: For the rehabilitation of needy Choctaw Indians, in Oklahoma, including the purchase of land in the vicinity of the Council House of the Choctaw Indians, Tuskahoma, Oklahoma, the construction of improvements on newly acquired land, and such other purposes as may be recommended by the advisory council of the Choctaw Tribe and approved by the Commissioner of Indian Affairs, $100,000, payable from funds on deposit to the credit of the Choctaw Indians of Oklahoma, which sum together with the unexpended balance of the appropriation of $50,000 from Choctaw tribal funds for the acquisition of lands, and so forth, contained in the Interior Department Appropriation Act, fiscal year 1939, shall remain available until expended: *Provided*, That title to any land or improvements purchased under the provisions of this paragraph shall be taken in the name of the United States in trust for the Choctaw Tribe.

52 Stat. 315.

Proviso
Title in trust

Tribal councils, traveling, etc., expenses

Supplies and equipment

Visits to Washington, D. C.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $5 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, and including not more than $25,000 for visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $50,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than $5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in Washington, for more than a thirty-day period, unless the Secretary of the Interior shall in writing approve a longer period.

Provisos
Limitation on expenditures

Expense allowance, limitation

Makah Reservation, Wash., attorney

Expenses of attorneys, Makah Reservation, Washington (tribal funds): Not to exceed $1,700 of the funds on deposit to the credit of the Makah Indians, Washington, is hereby made available for the fiscal years 1939 and 1940 for payment of the compensation and expenses of an attorney employed by the Makah Tribe under a contract executed September 7, 1938, and approved by the Secretary of the Interior on November 30, 1938.

Yakima Indians, attorneys

For expenses of an attorney or attorneys employed by the Yakima Tribe under a contract approved by the Secretary of the Interior on ⊥July 27, 1938, $3,000, payable from funds on deposit to the credit of the Yakima Indians: *Provided*, That expenditures hereunder shall be deducted from the expenses allowed to the attorney or attorneys in connection with any judgment recovered by said Indians.

1711

Proviso
Deduction from any judgment received

Shoshone Indians, attorneys employed under contract

For compensation and expenses of an attorney or attorneys employed by the Shoshone Indian Tribe under a contract approved by the Secretary of the Interior on January 30, 1939, $20,000, or so much thereof as may be necessary, payable from funds on deposit in the Treasury to the credit of such tribe; and the amount herein appropri-

ated shall be available for compensation earned and expenses incurred during the period covered by said contract.

ROADS AND BRIDGES

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Gallup-Shiprock Highway, N. Mex. maintenance, etc.

Proviso. Indian labor.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (25 U. S. C. 318a), June 16, 1936 (49 Stat. 1521), and June 8, 1938 (52 Stat. 633–636), $2,250,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed $11,200 of the foregoing amount may be expended for personal services in the District of Columbia: *Provided further*, That not to exceed $100,000 of this appropriation shall be available for purchase, lease, construction, or repair of structures for housing road materials, supplies, and equipment, and for quarters for road crews but the cost of any structure erected hereunder shall not exceed $7,500: *Provided further*, That the unexpended balance of the appropriation under this head contained in the Second Deficiency Appropriation Act, fiscal year 1938, shall continue available for the same purpose until expended.

Reservation roads, construction, etc.

45 Stat. 750, 49 Stat. 1521; 52 Stat. 633.
25 U. S. C. § 318a; Supp. IV, § 318b.

Provisos. Services in the District.

Structures for housing materials, etc.

Unexpended balance available.
52 Stat. 1133.

CONSTRUCTION AND REPAIR

For the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way when necessary, and including the purchase of furniture, furnishings, and equipment, as follows:

School, agency, hospital, etc., buildings.

Alaska: Hospital and quarters, $210,000;

Alaska.

Carson, Nevada: Dormitory facilities, $165,000;

Carson, Nev.

Cherokee, North Carolina: Reconstruction of farm and dairy facilities, $10,000; improvements to heating plant and distribution lines, $15,000; day school and quarters, $23,000;

Cherokee, N. C.

Cheyenne and Arapahoe, Oklahoma: Dormitory facilities, $75,000; employees' quarters, $15,000; employees' quarters (student project), $6,000;

Cheyenne and Arapahoe, Okla.

Cheyenne River, South Dakota: Office building, $35,000; one dwelling, $7,500;

Cheyenne River, S. Dak.

Chilocco, Oklahoma: Employees' quarters (student project), $7,500;

Chilocco, Okla.

Consolidated Ute, Colorado: Office building, $30,000; employees' quarters, $15,000;

Consolidated Ute, Colo.

Flandreau, South Dakota: Employees' quarters (student project), $10,000;

Flandreau, S. Dak.

Fort Berthold, North Dakota: Improvement of sewer system, $20,000;

Fort Berthold, N. Dak.

Fort Peck, Montana: One dwelling, $7,500;

Fort Peck, Mont.

‡Great Lakes, Wisconsin: Addition to school building (Lac du Flambeau), $40,000;

‡712
Great Lakes, Wis.

Haskell Institute, Kansas: Employees' quarters (student project), $6,000; improvements to utilities, $10,000;

Haskell Institute, Kans.

Hoopa Valley, California: Remodeling and enlarging hospital, $13,000;

Hoopa Valley, Calif.

Jicarilla, New Mexico: Improvements to power plant, $25,000; dormitory facilities, $75,000;

Jicarilla, N. Mex.

Keshena, Wisconsin: Dwellings for employees, $15,000;

Keshena, Wis.

Kiowa, Oklahoma: Riverside, dormitory facilities, $75,000; Fort Sill, dormitory facilities, $75,000;

Kiowa, Okla.

Navajo, Arizona: Superintendent's residence (Window Rock), $10,-

Navajo, Ariz.

000; dwelling for employee at sheep experiment station (Fort Wingate), $6,500; employees' building (Fort Defiance), $75,000;

Pima, Ariz

Pima, Arizona: Hospital and quarters, $175,000; one dwelling, $7,500;

Pine Ridge, S. Dak.

Pine Ridge, South Dakota: Employees' cottages, $22,500;

Rocky Boy's, Mont

Rocky Boy's, Montana: Improvements to sewer system, $15,000;

Rosebud, S. Dak

Rosebud, South Dakota: Quarters for hospital attendants, $15,000;

Sac and Fox, Iowa

Sac and Fox, Iowa: Improvements to heating plant and distribution lines, $25,000;

Chemawa, Oreg

Chemawa, Oregon: Remodeling and improving hospital, $15,000;

San Carlos, Ariz.

San Carlos, Arizona: One dwelling, $7,500;

San Xavier, Ariz.

San Xavier, Arizona: Cottages for employees, $15,000;

Sells, Ariz.

Sells, Arizona: Improving water supply, $15,000; cottages for employees, $15,000; warehouse, $20,000;

Seminole, Fla.

Seminole, Florida: Cottage for employee, $4,500;

Shawnee Sanatorium, Okla

Shawnee Sanatorium, Oklahoma: Remodeling women's semiambulant building, $25,000; fireproof auditorium and occupational-therapy building, $35,000;

Sherman Institute, Calif.

Sherman Institute, California: Improvements to utilities, including the connection of the school sewer lines with the system of the city of Riverside, $35,000; warehouse (student project), $10,000;

Standing Rock, N Dak

Standing Rock, North Dakota: Utilities distribution lines, $35,000; jail and quarters, $15,000; cottages for employees, $22,500; dairy barn, $15,000;

United Pueblos, N Mex

United Pueblos, New Mexico: Cottages for employees, $8,000; remodeling dormitory (Santa Fe), $60,000; repairs to buildings (Taos), $10,000;

Warm Springs, Oreg

Warm Springs, Oregon: Dairy barn, $12,000; office building, $25,000;

Winnebago, Nebr.

Winnebago, Nebraska: Improvements to water system, $10,000; cottages for farm agents, $15,000;

Administrative expenses

For administrative expenses, including personal services in the District of Columbia and elsewhere; not to exceed $2,500 for printing and binding; purchase of periodicals, directories, and books of reference; purchase and operation of motor-propelled passenger-carrying vehicles; traveling expenses of employees; rent of office and storage space; telegraph and telephone tolls; and all other necessary expenses not specifically authorized herein, $175,000; in all, $1,936,500, to be immediately available, and to remain available until June 30, 1941: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer: *Provided further*, That the unexpended balances of appropriations made available under this head in the Interior Department Appropriation Act, fiscal year 1938, and in the Second Deficiency Appropriation Act, fiscal year 1938, shall continue available for the same purposes until June 30, 1940.

Provisos.
Transfers of amounts; limitation.

Unexpended balances continued available
50 Stat. 590, 52 Stat. 1130

25 USC 1713

ANNUITIES AND PER CAPITA PAYMENTS

Senecas, N. Y.
4 Stat. 442.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Six Nations, N. Y.
7 Stat. 46

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla.
7 Stat. 98
11 Stat. 611
7 Stat. 210

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of

January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520. 7 Stat. 234.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000. Pawnees, Okla. 11 Stat. 729, 27 Stat. 644.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $250,000. Indians of Sioux reservations. 25 Stat. 895.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $950,000. Interest on trust funds.

The balance of $262.18 of the fund appropriated by the Act of August 23, 1894 (28 Stat. 451), to pay the judgment of the Court of Claims in favor of the Western Cherokees, and turned into the Treasury of the United States pursuant to the Act of February 12, 1929 (45 Stat. 1164), and reappropriated and restored on the books of the Treasury to the credit of the Western Cherokees by the Act of May 9, 1938 (52 Stat. 318), is hereby made available for expenses of attorneys in connection with suits on behalf of said Indians. Western Cherokees. Fund made available for attorney's expenses. 28 Stat. 451, 45 Stat. 1164. 52 Stat. 318.

Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including nonreservation boarding schools and for conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Indian Service. Central warehouses. Availability of funds for purchase, distribution, etc., of supplies from.

Appropriations made for the Indian Service for the fiscal year 1940 shall be available for travel expenses of employees on official business; for travel expenses and the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station with or without a change in official position; for the purchase of ice, and for the purchase of rubber boots for official use of employees. Travel expenses, etc.

The appropriations available for expenditure for the benefit of the natives of Alaska may be used for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior. Traveling expenses, new appointees from Seattle to Alaska.

* * *

⊥GEOLOGICAL SURVEY ⊥719

* * *

⊥Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 (48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $315,000, of which amount not to exceed $65,000 may be expended for personal services in the District of Columbia; ⊥721 Mineral leasing. 38 Stat. 742, 40 Stat. 297, 41 Stat. 437, 1363. 48 U. S. C. §§ 435, 444, 30 U. S. C. §§ 141, 181.

* * *

⊥725

⊥NATIONAL PARK SERVICE

* * *

⊥726

Glacier, Mont.

⊥Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $2,200 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $221,210.

* * *

⊥SAINT ELIZABETHS HOSPITAL

⊥736

Maintenance, etc.

For support, clothing, and treatment in Saint Elizabeths Hospital for the Insane of insane persons from the Army, Navy, Marine Corps, and Coast Guard, insane inmates of the National Home for Disabled Volunteer Soldiers, persons charged with or convicted of crimes against the United States who are insane, all persons who have become insane since their entry into the military and naval services of the United States, insane civilians in the quartermaster service of the Army, insane persons transferred from the Canal Zone who have been admitted to the hospital and who are indigent, American citizens legally adjudged insane in the Dominion of Canada whose legal residence in one of the States, Territories, or the District of Columbia it has been impossible to establish, insane beneficiaries of the United States Employees' Compensation Commission, insane beneficiaries of the United States Veterans' Administration, and insane Indian beneficiaries of the Bureau of Indian Affairs,

Insane citizens in Canada

Vehicles.

* * *

Approved, May 10, 1939.

[CHAPTER 154]

AN ACT

To provide for the correction of the list of approved Pine Ridge lost allotment claims, and for other purposes.

May 26, 1939
[H. R. 5746]
[Public, No. 95]
53 Stat. 784

Sioux Indians of Pine Ridge Reservation, S. Dak.
Correction of list of lost allotment claims authorized.
45 Stat. 484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to correct the list of nine hundred and seventy-nine Pine Ridge Sioux lost allotment claims, approved December 18, 1936, under the Act of May 3, 1928 (45 Stat. 484), by eliminating certain names erroneously placed thereon and the substitution of others in lieu thereof: *Provided*, That the total number of approved claims shall not exceed nine hundred and seventy-nine: *And provided further*, That such part of the appropriation authorized by the Act of June 29, 1937 (50 Stat. 441), as would have been used to pay those to be eliminated shall be used to pay those to be substituted.

Provisos.
Limitation.

Payment, funds authorized.
50 Stat. 441

Approved, May 26, 1939.

[CHAPTER 156]

AN ACT

To authorize further relief to water users on United States reclamation projects and on Indian reclamation projects.

May 31, 1939
[H. R. 5076]
[Public, No. 97]
53 Stat. 792

United States and Indian reclamation projects.
Determination of ability of water users to pay construction charges.
Post, p. 1198.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to determine as to each United States and Indian reclamation project whether any of the water users' organizations or water users, as the case may be, owing construction charges to the United States on each such project ⊥are

⊥793

unable, due to partial crop failure attributable to a water shortage or due to other causes beyond the control of the water users, to pay without great hardship or undue burden the full amount of the construction charges due and payable for the calendar year 1938 and of any unpaid construction charges required to be paid as a condition precedent to delivery of water in 1939. Said Secretary shall base his determinations on such data furnished by water users' organizations and water users and on such investigations and reports by the Bureau of Reclamation and the Office of Indian Affairs as he deems necessary. As to any such water users' organization or water user who according to the said Secretary's determination is unable to pay in full the construction charges due and payable for the calendar year 1938 and any unpaid construction charges required to be paid as a condition precedent to delivery of water in 1939, said Secretary is hereby authorized to grant an extension of time for the payment of such proportion of said charges as in his judgment in each case is just and equitable: *Provided,* That said Secretary may make any extension granted pursuant to the authority of this Act subject to such conditions as in his judgment are desirable in the interest of the United States. The charges so extended shall be paid at such time or times as the said Secretary may determine.

Data to be used

Extension of time for payments where conditions justify.

Proviso Conditions.

SEC. 2. As used in this Act the term "United States reclamation project" shall mean any irrigation project constructed by the United States, or in connection with which there has been executed a repayment contract with the United States, pursuant to the Reclamation Act of June 17, 1902 (32 Stat. 388), or any Act amendatory thereof or supplementary thereto; the term "Indian reclamation project" shall mean any irrigation project constructed by the United States under the direction of the Office of Indian Affairs, or in connection with which there has been executed a repayment contract with the United States, pursuant to Acts of Congress relating to Indian reclamation projects; and the term "construction charges" shall mean the installments on the principal obligations due each year to the United States under water-right applications, repayment contracts, orders of the Secretary of the Interior, or other forms of obligations entered into pursuant to said Federal reclamation laws, or Acts of Congress relating to Indian reclamation projects.

Definition of terms.

32 Stat. 388.

Approved, May 31, 1939.

[CHAPTER 185]

AN ACT

To authorize certain officers and employees to administer oaths to expense accounts.

June 6, 1939
[H. R. 3646]
[Public, No. 115]
53 Stat. 810

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Sundry Civil Appropriation Act for the fiscal year ending June 30, 1913, approved August 24, 1912 (37 Stat. 487), be, and it is hereby, amended to read as follows:

Oaths to expense accounts.
37 Stat. 487.
5 U. S. C. § 97.

"SEC. 8. Postmasters, assistant postmasters, collectors of customs, collectors of internal revenue, chief clerks of the various executive departments, independent establishments, and other Government agencies, or of bureaus thereof, the superintendent, the acting superintendent, custodian, and principal clerks of the various national parks and other Government reservations, superintendent, acting superintendent, and principal clerks of the different Indian superintendencies or Indian agencies, chiefs of field parties, and any officer or employee of any executive department, independent establishment, or other Government agency, in the District of Columbia or elsewhere, who shall have been designated in writing for such purpose by the head of the department, establishment, or agency concerned, are required, empowered, and authorized, when requested, to administer

Officers and employees authorized to administer.

oaths, required by law or otherwise, to accounts for travel or other expenses against the United States, with like force and effect as officers having a seal; for such services when so rendered, or when rendered on demand by notaries public, who at the time are also salaried officers or employees of the United States, no charge shall be made; and no fee or money paid for the services herein described shall be paid or reimbursed by the United States."

Approved, June 6, 1939.

[CHAPTER 203]

AN ACT

June 13, 1939
[S. 2149]
[Public, No. 127]
53 Stat. 819

To add certain lands to the Papago Indian Reservation in Arizona.

Papago Indian Reservation, Ariz.
Purchase of lands authorized

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to purchase for the use and benefit of the Papago Indians with any funds heretofore or hereafter appropriated pursuant to authority contained in section 5 of the Act of June 18, 1934 (48 Stat. 984), notwithstanding any general limitation in Acts making such appropriations against the use of the appropriated funds for the acquisition of lands outside of Indian reservations in Arizona, all privately owned lands, water rights, and improvements within the south half of section 9, township 14 south, range 11 east, Gila and Salt River base and meridian, containing three hundred and twenty acres, more or less, in the State of Arizona, at the appraised value of $5,570.

48 Stat. 985
25 U. S. C. § 465

Title.

SEC. 2. Title to the lands shall be taken in the name of the United States in trust for the Papago Tribe, and the lands, when purchased, shall become a part of the Papago Indian Reservation.

Acquisition to become part of reservation.

Approved, June 13, 1939.

[CHAPTER 208]

AN ACT

June 16, 1939
[H. R. 4218]
[Public, No. 130]
53 Stat. 822

Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1940, and for other purposes.

Legislative Branch Appropriation Act, 1940

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch of the Government for the fiscal year ending June 30, 1940, namely:

SENATE

* * *

⊥823

⊥COMMITTEE EMPLOYEES

Clerks and messengers to the following committees:

* * *

. . . Indian Affairs—clerk, $3,900; assistant clerk, $3,600, and $1,400 additional so long as the position is held by the present incumbent; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. . . .

* * *

⊥826

⊥HOUSE OF REPRESENTATIVES

* * *

COMMITTEE EMPLOYEES

Clerks, messengers, and janitors.

Clerks, messengers, and janitors to the following committees:

* * *

... ⊥Indian Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. Insular Affairs—clerk, $2,700; janitor, $1,260. ... ⊥827

* * *

Approved, June 16, 1939.

[CHAPTER 210]

AN ACT

To modify the provisions of section 14 of the Act of June 30, 1834, and section 10 of the Act of June 22, 1874, relating to the Indians.

June 19, 1939
[S. 2154]
[Public, No. 132]
53 Stat. 840

Indians.
4 Stat. 738, 18 Stat. 177.
25 U. S. C. §§ 68, 87.
Purchases from, by Government employees authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That anything contained in section 14 of the Act of June 30, 1834 (4 Stat. 738), or in section 10 of the Act of June 22, 1874 (18 Stat. 177), now sections 68 and 87, respectively, title 25, United States Code, to the contrary notwithstanding, employees of the United States Government, including those in the Indian Service, may, under such rules and regulations as the Secretary of the Interior shall prescribe, be permitted to purchase from any Indian or Indian organization any arts and crafts or any other product, service, or commodity, produced, rendered, owned, controlled, or furnished by any Indian or Indian organization: *Provided, however*, That no employee of the United States Government shall be permitted to make any such purchases for the purpose of engaging directly or indirectly in the commercial selling, reselling, trading, or bartering of said purchases by the said employee: *Provided further*, That nothing contained in the Acts of Congress above referred to shall be construed as preventing Indian employees of the United States Government, ⊥of whatever degree of Indian blood, during their term of employment or otherwise, from obtaining or receiving any benefit or benefits made available to the Indians generally or to the members of any particular tribe, under any Act of Congress, nor to prevent such employees having Indian blood from being members of or receiving benefits by reason of their membership in Indian tribes, corporations, or cooperative associations organized by the Indians, when authorized by the Secretary of the Interior under appropriate regulations to be promulgated by him.

Provisos.
Restriction on resale, etc.

Benefits to Government employees of Indian blood.

⊥841

Approved, June 19, 1939.

[CHAPTER 235]

AN ACT

To define the status of certain lands purchased for the Choctaw Indians, Mississippi.

June 21, 1939
[H. R. 3367]
[Public, No. 147]
53 Stat. 851

Choctaw Indians of Mississippi.
Status of certain lands purchased for, defined.
40 Stat. 573.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title to all lands purchased by the United States for the benefit of the Choctaw Indians of Mississippi, under authority contained in the Act of May 25, 1918 (40 Stat. L., 573), and similar subsequent Acts, not under contract for resale to Choctaw Indians, or on which existing contracts of resale may hereafter be canceled, is hereby declared to be in the United States in trust for such Choctaw Indians of one-half or more Indian blood, resident in Mississippi, as shall be designated by the Secretary of the Interior.

Approved, June 21, 1939.

[CHAPTER 248]

AN ACT

Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Department of Commerce, for the fiscal year ending June 30, 1940, and for other purposes.

June 29, 1939
[H. R. 6392]
[Public, No. 156]
53 Stat. 885

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Department of Commerce, for the fiscal year ending June 30, 1940, namely:

* * *

1907

TITLE III—DEPARTMENT OF COMMERCE

Department of Commerce Appropriation Act, 1940.

* * *

1916

BUREAU OF FISHERIES

* * *

1917

Construction of fish screens

Construction of fish screens: For construction, operation, and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and supervision of construction of such screens and ladders; . . .

* * *

Approved June 29, 1939

[CHAPTER 252]

JOINT RESOLUTION

June 30, 1939
[H. J. Res. 326]
[Pub. Res., No. 24]
53 Stat. 927

Making appropriations for work relief and relief, for the fiscal year ending June 30, 1940.

Emergency Relief Appropriation Act of 1939

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "Emergency Relief Appropriation Act of 1939".

WORK PROJECTS ADMINISTRATION

Continuation of work relief and relief appropriation for designated objects.

SECTION 1. (a) In order to continue to provide work for needy persons on useful public projects in the United States and its Territories and possessions, there is hereby appropriated to the Work Projects Administration, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1940, $1,477,000,000, together with all balances of appropriations under subsection (1) of section 1 of the Emergency Relief Appropriation Act of 1938, as supplemented by Public Resolution Numbered 1 and Public Resolution Numbered 10 of the Seventy-sixth Congress, which remain unobligated on June 30, 1939, including such unobligated balances of funds transferred to other agencies for non-construction projects under the provisions of section 3 of such Act of 1938, as supplemented, or set aside for specific purposes in accordance with other law: *Provided,* That notwithstanding any other provision of law, funds heretofore irrevocably set aside for the completion of Federal construction projects under authority of the Emergency Relief Appropriation Act of 1938, as amended, shall remain available until June 30, 1940, for such completion, and any such funds which remain unobligated by reason of the completion or abandonment of any such Federal construction project shall be returned to this appropriation.

Balances reappropriated
52 Stat. 809.
15 U. S. C., Supp. IV, ch. 16 (note).
Ante, pp. 507, 578.

Proviso.
Completion of Federal construction projects, funds available

Objects specified.

(b) The funds provided in this section shall be available for (1) administration; (2) the prosecution of projects approved by the President under the provisions of the Emergency Relief Appropriation Acts of 1935, 1936, 1937, and 1938; and (3) the prosecution of the following types of public projects, Federal and non-Federal, subject to the approval of the President, namely: Highways, roads, and streets; public buildings; parks, and other recreational facilities, including buildings therein; public utilities; electric transmission and distribu-

49 Stat. 115, 1608, 50 Stat. 352, 52 Stat. 809.
15 U. S. C., Supp. IV, ch. 16 (note).
Types of projects, subject to Executive approval.
Highways, public buildings, parks, etc.

tion lines or systems to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit and coopera-⊥tive associations; sewer systems, water supply, and purification systems; airports and other transportation facilities; flood control; drainage; irrigation; conservation, including projects sponsored by conservation districts and other bodies duly organized under State law for soil erosion control and conservation, preference being given to projects which will contribute to the rehabilitation of individuals and an increase in the national income; eradication of insect, plant, and fungus pests; the production of lime and marl for fertilizing soil for distribution to farmers under such conditions as may be determined by the sponsors of such projects under the provisions of State law; educational, professional, clerical, cultural, recreational, production, and service projects, including training for domestic service; aid to self-help and cooperative associations for the benefit of needy persons; and miscellaneous projects: *Provided, however,* That all persons employed on work projects shall, so far as practicable, be employed on projects nearest their respective homes.

Public utilities.
1928

Sewer systems, water supply, airports, flood control, conservation, etc.

Insect, plant, and fungus pest eradication.

Lime, etc., production.

Educational, etc., projects.

Proviso.
Location of employment.

* * *

⊥INDIAN SERVICE

1930

SEC. 5 (a) In order to continue to provide relief and rural rehabilitation for needy Indians in the United States, there is hereby appropriated to the Bureau of Indian Affairs, Department of the Interior, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1940, $1,350,000.

Continuation of relief and rural rehabilitation; appropriation for.

(b) The funds provided in this section shall be available for (1) administration, not to exceed $67,500; (2) loans; (3) relief; (4) the prosecution of projects approved by the President for the Farm Security Administration for the benefit of Indians under the provisions of the Emergency Relief Appropriation Act of 1938; and (5) subject to the approval of the President, for projects involving rural rehabilitation of needy Indians.

Objects specified.

52 Stat. 810.

* * *

⊥SEC. 16. (a) In employing or retaining in employment on Work Projects Administration work projects, preference shall be determined, as far as practicable, on the basis of relative needs and shall, where the relative needs are found to be the same, be given in the following order: (1) Veterans of the World War and the Spanish-American War and veterans of any campaign or expedition in which the United States has been engaged (as determined on the basis of the laws administered by the Veterans' Administration) who are in need and are American citizens; and (2) other American citizens, Indians and other persons owing allegiance to the United States who are in need.

⊥1933

Preferences in employment.

* * *

Approved, June 30, 1939.

[CHAPTER 253]

AN ACT

Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1940, and for other purposes.

June 30, 1939
[H. R. 5269]
[Public, No. 159]
53 Stat. 939

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1940, namely:

Department of Agriculture Appropriation Act, 1940

TITLE I—DEPARTMENT OF AGRICULTURE

* * *

1965

⊥BUREAU OF PUBLIC ROADS

* * *

1967

⊥PUBLIC-LANDS HIGHWAYS

Survey, construction, etc.

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the Act of June 24, 1930 (23 U. S. C. 3), $1,000,000, to be immediately available and to remain available until expended, which sum is the amount authorized for the fiscal year 1940 by section 6 of the Act approved June 8, 1938 (52 Stat. 635).

46 Stat. 805. 23 U. S. C. § 3.

52 Stat. 635.

Total, Bureau of Public Roads, $191,000,000.

* * *

Approved June 30, 1939.

[CHAPTER 254]

AN ACT

June 30, 1939 [H. R. 6970] [Public, No. 160] 53 Stat. 980

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide appropriations required immediately for the fiscal year ending June 30, 1940, and for other purposes.

Urgent Deficiency and Supplemental Appropriation Act, fiscal years 1939 and 1940

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide appropriations required immediately for the fiscal year ending June 30, 1940, and for other purposes, namely:

* * *

1985

⊥DEPARTMENT OF THE INTERIOR

* * *

1986

⊥BUREAU OF INDIAN AFFAIRS

Hospitals, etc., Alaska

Construction, and so forth, buildings and utilities, Indian Service: The unexpended balance of the appropriation of $100,000 contained in the Second Deficiency Appropriation Act, fiscal year 1937, for the construction and equipment of a hospital at Point Barrow, Alaska, is hereby made available under this head until June 30, 1941, for the construction and equipment of hospitals and quarters in Alaska.

50 Stat. 222.

* * *

Approved, June 30, 1939.

[CHAPTER 272]

AN ACT

July 14, 1939 [H. R. 4497] [Public, No. 175] 53 Stat. 1003

To prescribe rules for the enrollment of Menominee Indian children born to enrolled parents, and for other purposes.

Menominee Indians. Enrollment of children of enrolled parents. 48 Stat. 965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, regardless of the Act of June 15, 1934 (48 Stat. L. 965), upon receipt of proper birth certificates the names of unenrolled living Menominee Indian children born prior to that date of an enrolled parent or parents residing on the reservation at the time of their birth, and the names of children born thereafter otherwise qualified under section 4 of said Act but irrespective of the derivation of their Menominee blood, shall be automatically placed upon the official roll approved on December 27, 1935; and such

children shall be entitled to participate in any tribal payments made between the time of their birth and enrollment.

Participation in tribal payments.

SEC. 2. The Secretary of the Interior is hereby authorized and directed on or before June 30, 1941, to investigate and determine the correct degree of Menominee Indian blood of every person whose name appears on the basic official roll as originally approved December 27, 1935. The determination made by the Secretary of the Interior shall be final and conclusive for enrollment purposes under the Act of June 15, 1934, as modified herein, and any changes necessary to conform to such determination shall be made in the appropriate column of said roll.

Determination of blood degree.

Approved, July 14, 1939.

[CHAPTER 384]

AN ACT

July 27, 1939
[H. R. 3796]
[Public, No. 235]
53 Stat. 1127

To extend the period of restrictions on lands of the Quapaw Indians, Oklahoma, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all existing restrictions, tax limitations, and exemptions affecting lands of Quapaw Indians in Oklahoma be, and the same are hereby, extended for a further period of twenty-five years from the date on which such restrictions, limitations, and exemptions would otherwise expire: *Provided, however*, That nothing herein contained shall be construed as preventing the Secretary of the Interior, in his discretion, from removing such restrictions, in whole or in part, upon application of any adult Indian owner of any such lands, on any interest therein, whenever the Secretary of the Interior finds it to be advantageous to the Indian owner to do so.

Quapaw Indians, Okla.
Restrictions on lands of, further extended.

Proviso.
Discretionary removal upon application of Indian land owner.

SEC. 2. That said restricted tracts of land or any part thereof, may be leased for business, mining, or other purposes in accordance with such rules and regulations as the Secretary of the Interior may prescribe, and not otherwise: *Provided, however*, That no lease, modification, or assignment thereof shall be made over the written protest of adult Indians owning a majority interest therein.

Leasing for business, etc., purposes.

Proviso.
Restriction.

Approved, July 27, 1939.

[CHAPTER 387]

AN ACT

July 27, 1939
[S. 1878]
[Public, No. 238]
53 Stat. 1128

To provide for the distribution of the judgment fund of the Shoshone Tribe of the Wind River Reservation in Wyoming, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed, with the advice and consent of the business council of the Shoshone Tribe of the Wind River Reservation in Wyoming, to prepare a roll showing the members of said tribe living on the date of the approval of this Act, and such roll shall form the basis for the distribution of the judgment fund of said tribe created as the result of the passage of the Act of June 25, 1938 (52 Stat. 1114–1156), and accrued interest thereon.

Shoshone Indians of Wind River Reservation, Wyo.

Tribal roll, preparation, basis for distribution of judgment fund.

52 Stat. 1156.

SEC. 2. That there shall be credited on the books of the Office of Indian Affairs the sum of $2,450 to each member of said tribe whose name appears on the roll provided for in section 1 hereof; and out of such sum so credited the Secretary of the Interior is hereby authorized to make available immediately to each individual member of the tribe the sum of $100; and, under such rules and regulations as he may prescribe, the sum of $1,350 to each adult and the sum of $500 to each minor for the following purposes: Purchase of land, improvement of lands to be acquired or already held by the Indian, for the erection

Credit to each enrollee authorized.

Immediate per capita distribution.

Sums for specified purposes.

CLEMSON UNIV

and improvement of suitable homes, the purchase of building material, farming equipment, livestock, feed, food, seed, grain, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education, as will enable them to become self-supporting: *Provided, however*, That the funds of the aged, infirm, decrepit, and incapacitated members may be used for their proper maintenance and support in the discretion of the Secretary of the Interior. The remainder of the share of each adult individual Indian, including accrued interest, shall be made available under such rules and regulations as the Secretary of the Interior may prescribe, and the remainder of the share of each minor Indian shall, with accrued interest, be held intact until such Indian reaches the age of eighteen years, when it shall be available under the same conditions as herein provided for adults. As herein used the term "adult" shall include the members of the tribe eighteen years of age or over, and the term "minor" shall include all members less than eighteen years of age. On the death of any enrolled member, adult or minor, the sum on deposit to his ⊥credit shall be available for expenditure for the benefit of his heirs for the purposes herein authorized.

Proviso.
Maintenance of aged and infirm members.

Disposition of remainder.

Terms defined.

Death of enrollee, availability of deposit.

⊥1129

Purchase of lands.

SEC. 3. (a) Not to exceed $1,000,000 of said judgment fund, or interest thereon, shall be available for expenditure upon the request of the tribe and with the approval of the Secretary of the Interior, for the purchase of lands in the manner prescribed in section 6 of this Act.

Sum set aside as a loan fund.

(b) The sum of $125,000 of said judgment fund, or interest thereon, shall, at the request of the tribe and with the approval of the Secretary of the Interior, be set aside as a loan fund for making loans to individual members, or groups of members, of said tribe under such rules and regulations as may be prescribed by the Secretary of the Interior.

Establishment of productive enterprises.

(c) The remainder of said judgment fund, including interest thereon, after making the segregation provided for in section 2, and after setting aside the respective amounts authorized by this section, shall be available for appropriation, upon the recommendation of the Secretary of the Interior, and with the consent of the tribe, for purposes of benefit to the tribe, including the establishment and administration of productive enterprises for the benefit of said tribe, and any income derived from such enterprises shall be credited to the Shoshone tribal judgment fund: *Provided*, That should such enterprises also benefit the Arapaho Tribe repayment proportionate to the benefit to the Arapaho Tribe shall be made into the Shoshone judgment fund by the Arapaho Tribe out of such tribal income as the Arapaho Tribe may enjoy.

Proviso.
Repayment for benefit accruing to Arapaho Tribe.

Land-use districts.

SEC. 4. That the Secretary of the Interior be, and he is hereby, authorized and directed to establish land-use districts within the diminished and ceded portions of the Wind River Indian Reservation, Wyoming, and, under such rules and regulations as he may prescribe, to effect the consolidation of Indian and privately owned lands within said districts through exchange, relinquishment, donation, assignment, or purchase of lands or interests therein, including water rights or surface rights to lands, improvements thereon and improvements on undisposed-of ceded lands, to the end that the respective Indian and non-Indian land holdings may be consolidated for more beneficial use. Exchanges of lands hereunder shall be made on the basis of equal value, and the value of improvements on lands to be relinquished to the Indians or by Indians to non-Indians shall be given due consideration, and allowance made therefor in the valuation of lieu lands. This section shall apply to tribal land, and trust or otherwise restricted Indian allotments, whether the allottees be living or deceased. In all transactions involving tribal Indian land, the consent of the Shoshone

Exchanges and consolidations of lands, etc.

Basis.

Application of section.

Tribal consent in transactions.

and Arapaho Tribes shall first be obtained. Title to all lands or interests therein acquired by the Government through exchange of tribal land shall be taken in the name of the United States in trust for the Shoshone and Arapaho Tribes of Indians of the Wind River Reservation, Wyoming. Title to lands exchanged for individual Indian allotments, or purchased for individual Indians with restricted funds shall be taken by the United States in trust for the individual Indian allottee or heir. The right herein granted individual Indians to acquire lands by purchase with restricted funds or by exchange shall not extend to lands on the ceded or opened portion of the reservation.

Title to lands, etc.

SEC. 5. That the Secretary of the Interior is hereby directed to restore to tribal ownership all undisposed-of surplus or ceded lands within the land use districts which are not at present under lease or permit to non-Indians; and, further, to restore to tribal ownership the balance of said lands progressively as and when the non-Indian owned lands within a given land use district are acquired by the ⊥Government for Indian use pursuant to the provisions of this Act. All such restorations shall be subject to valid existing rights and claims: *Provided*, That no restoration to tribal ownership shall be made of any lands within any reclamation project heretofore authorized within the diminished or ceded portions of the reservation.

Restoration to tribal ownership of all undisposed of surplus or ceded lands, etc.

⊥1130

Provisos.
Provisions inapplicable to certain reclamation projects.

SEC. 6. That the sum of $1,000,000 authorized in section 3 for use in carrying out the land purchase and consolidation program hereinbefore authorized shall remain available until expended and any amount expended shall be reimbursed with interest at 4 per centum per annum to the Shoshone Tribe of Indians of the Wind River Reservation from joint funds to the credit of the Shoshone and Arapaho Tribes of the Wind River Reservation or from future accruals to said joint fund, as and when said funds accrue. Title to all land purchases made hereunder shall be taken in the name of the United States in trust for the Shoshone and Arapaho Tribes of Indians of the Wind River Reservation, Wyoming. All purchases of lands or interests therein made pursuant to this section shall receive the approval of the Shoshone and Arapaho Tribal Councils or of the business committees thereof.

Appropriation authorized, availability, reimbursement.

Title in trust for Indians.

Purchases, etc., subject to tribal approval.

SEC. 7. That in no event shall any portion of the Shoshone judgment fund become liable, payable, or subject to any debt or debts contracted prior to the passage of this Act by any Indian of the Shoshone Tribe except debts to the United States or to the tribe.

Liability for prior debts.

Approved, July 27, 1939.

[CHAPTER 431]

AN ACT

August 5, 1939
[S. 432]

To provide for the public auction of certain town lots within the city of Parker, Arizona.

[Public, No. 267]
53 Stat. 1203

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to sell at public auction or after publicly advertising for bids, to the highest and best bidder, any unsold lots in the townsite of Parker, Arizona: *Provided*, That the said Secretary may, in his discretion, reject any or all bids so received: *And provided further*, That no sale shall be made pur-⊥suant to the provisions of this Act without first obtaining the written consent of the Tribal Council of the Colorado River Indian Tribes of the Colorado River Reservation.

Parker, Ariz.
Public auction of certain town lots authorized.

Provisos.
Rejection of bids.

⊥1204
Tribal consent.

SEC. 2. That any vacant unsold lots within the townsite of Parker, Arizona, may be leased by the Tribal Council of the Colorado River Indian Tribes, with the approval of the Secretary of the Interior and upon such terms and conditions as he may prescribe, for a term of not

Lease of vacant unsold lots.

exceeding twenty-five years. Such leases may provide for renewal for an additional term of not exceeding twenty-five years.

Rules to be prescribed.

SEC. 3. The Secretary of the Interior is hereby authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this Act.

Approved, August 5, 1939.

[CHAPTER 440]

AN ACT

August 5, 1939
[S. 2634]
[Public, No. 276]
53 Stat. 1207

To reserve to the United States for the Bonneville project a right-of-way across certain Indian lands in the State of Washington, subject to the consent of the individual allottees and the payment of compensation, and for other purposes.

Yakima Indian Reservation, Wash.
Reservation of Federal right-of-way across, for Bonneville project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby reserved to the United States for the Bonneville project a right-of-way in the nature of an easement not to exceed three hundred feet in width across allotted and tribal lands on the Yakima Indian Reservation, in the State of Washington, for the construction, operation, and maintenance of electric transmission lines, with the right of ingress and egress, and such additional area as may be necessary for a substation.

Approval provisions.

SEC. 2. This reservation is subject to the consent of the individual allottees and the tribal council, to the approval of a map of definite location by the Secretary of the Interior, and to the payment of such compensation as he may determine. Should any allottee refuse to give his consent, condemnation under the provisions of the Act of August 1, 1888 (25 Stat. 357), is hereby authorized. The right is reserved to the Indians to cultivate or otherwise utilize the right-of-way in such manner as will not be inconsistent with the use thereof for transmission-line purposes.

Condemnation proceedings.
25 Stat. 357.
40 U. S. C. §§ 257, 258.
Right of cultivation, etc.

Approved, August 5, 1939.

[CHAPTER 483]

JOINT RESOLUTION

August 5, 1939
[H. J. Res. 264]
[Pub. Res., No. 40]
53 Stat. 1221

To approve the action of the Secretary of the Interior deferring the collection of certain irrigation construction charges against lands under the San Carlos and Flathead Indian irrigation projects.

San Carlos and Flathead Indian irrigation projects, deferment of construction charges.
49 Stat. 1803.
25 U. S. C., Supp. IV, §§ 389–389e.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with the Act of June 22, 1936, the action of the Secretary of the Interior in deferring such charges under said irrigation projects is hereby approved.

Approved, August 5, 1939.

[CHAPTER 519]

AN ACT

August 7, 1939
[H. R. 5684]
[Public, No. 317]
53 Stat. 1244

Amending the Act of Congress of June 25, 1938 (C. 710, 52 Stat. 1207), authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath Business Committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe.

Klamath Indians
52 Stat. 1207.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 25, 1938 (52 Stat. 1207), be, and the same hereby is, amended by striking out the second proviso thereof and inserting in lieu thereof the following: "*Provided further*, That the official delegates of the tribe carrying on said business at the seat of government shall receive, if travel is by rail, the usual railroad and sleeping-car transportation to and from the seat of government or, if travel is by

Transportation payments to official delegates.

automobile, delegates furnishing such transportation shall receive an amount equivalent to the cost of their railroad and sleeping-car transportation to and from the seat of government, but salary and per diem shall not be paid to delegates traveling by automobile for any period in excess of the time required to perform the travel by railroad: *Provided further*, That the aforesaid official delegates shall also receive reimbursement for telegraphic expenses incurred on tribal business:".

Salary and per diem restrictions.

Reimbursement for official telegraphic expenses.

Approved, August 7, 1939.

[CHAPTER 552]

AN ACT

August 7, 1939
[H. R. 2738]
[Public, No. 325]
53 Stat. 1252

Providing for the disposition of certain Klamath Indian tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed, from the judgment fund of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians created as the result of the passage of the Act of June 25, 1938, and accrued interest thereon, to credit the sum of $2,000 upon the books of the Office of Indian Affairs, to each person determined by the Secretary of the Interior to be entitled to enrollment upon the annuity roll of said tribes of the Klamath Reservation, Oregon, living upon the date of the enactment of this Act. The share of each adult member and not to exceed $1,500 of the share of any minor shall be available for expenditure, under such rules and regulations as the Secretary of the Interior may prescribe, for the following purposes:

Klamath Indians, Oreg.
Pro rata distribution of judgment fund for purposes designated.

52 Stat. 1156.

Purchase of land; improvement of lands acquired or already held by the Indian; erection and improvement of suitable homes; repayment of any loans received from the United States or from the Klamath tribal funds; purchase of building material, farming equipment, livestock, feed, food, seed, grain, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education, as will enable them to become self-supporting; and health purposes: *Provided, however*, That the funds of the aged, infirm, decrepit, and incapacitated members, and of minors, may be used for their proper maintenance and support. The remainder of the share of each minor Indian shall be held intact until such Indian reaches his majority, when it, together with interest at the rate of 4 per centum per annum, shall be available for expenditure for the purposes specified herein. As herein used, the term "minor" shall include all members of the tribe less than twenty-one years of age, except that minors eighteen years of age or over and who are married or have families of their own to support, shall be regarded as adults. On the death of any enrolled member, adult, or minor, the sum on deposit to his credit shall be distributed as personal property, and shall be available for expenditure by the distributees only for the purposes herein authorized: *Provided, however*, That of the aforesaid $2,000 to be prorated to each person, $100 shall be paid to each member of said tribes as a per capita payment, free from the aforesaid restrictions, under rules and regulations prescribed by the Secretary of the Interior.

Purchase, etc., of lands.
Repayment of loans.

Farming equipment and supplies.

Provisos.
Maintenance of aged, infirm, etc., members.

Term "minor" defined.

Death payment.

Per capita payment.

⊥SEC. 2. That after the segregation provided for in section 1 hereof shall have been made, the remainder of such judgment fund, including interest, shall be available for expenditure subject to the following limitations and conditions:

⊥1253
Expenditure of remainder after segregation has been made.

(a) Three hundred thousand dollars shall be transferred to and added to the loan fund authorized by the Act of August 28, 1937 (50

Sum to be added to loan fund; restriction.

50 Stat. 872.
25 U. S. C., Supp. IV, §§ 530–535

Stat. 872). After the fiscal year 1939 no further sums shall be transferred to and added to the loan fund authorized by said Act from the unobligated tribal funds on deposit in the Treasury of the United States, and said Act is hereby amended accordingly.

Payments in lieu of allotments of land.
52 Stat. 605.
25 U. S. C., Supp. IV, §§ 551–556.

(b) Three hundred and seventy-five thousand dollars for immediate payment in a lump sum of $1,500 to each adult unallotted Indian found to be entitled to payment in lieu of allotment, as authorized in the Act of June 1, 1938 (52 Stat. 605): *Provided*, That the amount due any minor under the provisions of said Act shall be withheld until he becomes an adult, as herein defined, when it shall be paid to him in a lump sum from any funds, principal, or interest, on deposit to the credit of the Klamath Tribe, and section 2 of said Act of June 1, 1938, is hereby amended accordingly.

Proviso.
Withheld from minor until he becomes adult.

Remainder to become part of capital reserve fund.

(c) Such moneys as shall remain in the principal fund shall be transferred to and become a part of the capital reserve fund created by section 1 of the Act of August 28, 1937 (50 Stat. 872).

Fund not liable for debts contracted by tribal members prior to date of Act.

SEC. 3. That in no event shall any portion of the said judgment fund become liable, payable, or subject to any debt or debts contracted prior to the passage of this Act by any Indian of the Klamath Tribe except debts to the United States or to the tribe.

Exception.

Approved, August 7, 1939.

[CHAPTER 607]

AN ACT

For the relief of certain Indians of the Winnebago Agency.

August 9, 1939
[H. R. 2971]
Public, No. 346]
53 Stat. 1267

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $38,352.84 to the Treasurer of the United States for deposit in the official disbursing account of the Superintendent and Special Disbursing Agent of the Winnebago Indian Agency, Nebraska, to replace a deposit of individual Indian money in like amount with the State Bank of Winnebago, Nebraska, defunct: *Provided*, That any sums, not exceeding in the aggregate the amount of this appropriation, recovered from said bank or the sureties on the bonds thereof, shall be deposited into the general fund of the Treasury.

Winnebago Indian Agency, Nebr.
Payment to.

Proviso.
Deposit of sums recovered.

Approved, August 9, 1939.

[CHAPTER 633]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes.

August 9, 1939
[H. R. 7462]
[Public, No. 361]
53 Stat. 1301

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes, namely:

Third Deficiency Appropriation Act, fiscal year 1939.

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥DEPARTMENT OF THE INTERIOR

* * *

⊥BUREAU OF INDIAN AFFAIRS

⊥1314

GENERAL EXPENSES

Purchase and transportation of Indian supplies: For an additional amount for expenses of purchase and transportation of goods and supplies for the Indian Service, for the following fiscal years:

Indian supplies, purchase and transportation.

For 1936, $16,000;
For 1937, $4,000;
For 1938, $50,000.

INDIAN LANDS

Purchase of land for Eastern Band of Cherokee Indians, North Carolina (tribal funds): For the purchase of land and improvements thereon for the Eastern Band of Cherokee Indians in North Carolina, fiscal year 1940, $5,000, payable from funds on deposit to the credit of the Eastern Band of Cherokee Indians: *Provided*, That title to any land or improvements so purchased shall be taken in the name of the United States in trust for the Eastern Band of Cherokee Indians.

Eastern Band of Cherokee Indians, N. C.
Purchase of land, etc., from tribal funds.

Proviso.
Title to land, etc.

Purchase of land for Colville Indians, Washington (tribal funds): For the purchase of land and improvements thereon for the Colville Indians, Washington, fiscal year 1940, to remain available until June 30, 1941, $100,000, payable from funds on deposit to the credit of the Colville Indians: *Provided*, That title to any land and improvements so purchased shall be taken in the name of the United States in trust for the Colville Indians.

Colville Indians, Wash.
Purchase of land, etc., from tribal funds.

Proviso.
Title to land, etc.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Industrial assistance (tribal funds): For an additional amount for the construction of homes for individual members of the Colville tribe of Indians, Washington; for advances to them for the purchase of seed, animals, machinery, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, fiscal year 1940, $100,000, payable from funds on deposit to the credit of the Colville Indians; subject to the same conditions specified under this head in the Interior Department Appropriation Act, 1940.

Colville Indians, Wash.
Construction of homes, purchase of seed, equipment, etc.

Advances to old, etc., Indians.

Conditions.
Ante, p. 695.

IRRIGATION AND DRAINAGE

Operation and maintenance, San Carlos irrigation project, Gila River Reservation, Arizona: For the operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, including $75,000 for the power system, fiscal year 1940, $125,000, reimbursable.

San Carlos project, Ariz.
Operation and maintenance.

Maintenance assessments, Indian lands, Middle Rio Grande Conservancy District, New Mexico (reimbursable): For an additional amount for operation and maintenance assessments on newly reclaimed Indian lands within the Middle Rio Grande Conservancy District, New Mexico, fiscal year 1938, $2,843.

Middle Rio Grande Conservancy District, N. Mex.
Maintenance assessments, etc.

Irrigation systems on Indian reservations: For an additional amount for the construction, repair, and rehabilitation of irrigation systems on Indian reservations, fiscal year 1940, including the same objects and limitations specified under the appropriation for this ⊥purpose in the Interior Department Appropriation Act, 1940, as follows:

Irrigation systems on Indian reservations.

⊥1315
Ante, p. 699.

Arizona: San Carlos, $50,000, reimbursable.

San Carlos, Ariz.

Construction, irrigation system, Klamath Reservation, Oregon (tribal funds): For the construction of an irrigation system on the Klamath Reservation, including acquisition of rights-of-way and pay-

Klamath Reservation, Oreg.
Payment of damages.

ment of damages in connection with such irrigation system, fiscal year 1940, $15,000, payable from funds on deposit to the credit of the Klamath Indians, to be reimbursed to the tribe by the Indians benefited under such rules and regulations as the Secretary of the Interior may prescribe.

Reimbursement.

CONSERVATION AND HEALTH

Reindeer industry, Alaska: Purchase of reindeer, buildings, etc.

50 Stat. 900.
48 U.S.C., Supp. IV, §§ 250–250p.

Administrative expenses.

Provisos.
Limitation on average price of reindeer.

Nunivak Island excepted.

Reindeer industry, Alaska: For the purchase, in such manner as the Secretary of the Interior shall deem advisable, of reindeer, abattoirs, cold-storage plants, corrals and other buildings, and communication and other equipment, owned by nonnatives in Alaska, as authorized by the Act of September 1, 1937 (50 Stat. 900), $720,000; and for necessary administrative expenses in connection with such purchase and the establishment and development of the reindeer industry for the benefit of the Eskimos and other natives of Alaska, as authorized by said Act, including personal services in the District of Columbia (not to exceed $2,300) and elsewhere, traveling expenses, erection, repair, and maintenance of corrals, fences, and other facilities, $75,000; in all, fiscal year 1940, $795,000: *Provided*, That under this appropriation not exceeding an average of $4 per head shall be paid for reindeer purchased from nonnative owners: *Provided further*, That the foregoing limitation shall not apply to the purchase of reindeer located on Nunivak Island.

GENERAL SUPPORT AND ADMINISTRATION

Support of Indians, etc., under specified agencies, from tribal funds.

California.
Expenses, etc., of agent employed by Agua Caliente Band.
Ante, p. 708.

Colorado.
Purchase of land, etc.
Ante, p. 708.

Oregon.
Attorneys' fees, etc.
Ante, p. 708.

Wisconsin.
Attorneys' fees, etc.
Ante, p. 708.

Western or Old Settler Cherokees.

Support of Indians and administration of Indian property (tribal funds): For an additional amount for support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, fiscal year 1940, in not to exceed the following sums, respectively:

California: Mission Indians, $4,000, to be available for the expenses and compensation of an agent employed by the Agua Caliente Band, under a contract approved by the Secretary of the Interior, in accordance with existing law;

Colorado: Consolidated Ute (Ute Mountain), $38,000, including the purchase of land, the subjugation thereof, and the construction of improvements thereon;

Oregon: Klamath; not to exceed $4,500 of the amount authorized in the Interior Department Appropriation Act, fiscal year 1940, for the support of the Klamath Agency from tribal funds, shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary of the Interior, in accordance with existing law;

Wisconsin: Keshena, $5,200, to be available only for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary of the Interior, in accordance with existing law:

In all, $47,200.

Western or Old Settler Cherokees: For the relief of the Western or Old Settler Cherokees, as authorized by the bill S. 2261 entitled "For the relief of the Western or Old Settler Cherokees, and for other purposes, Seventy-sixth Congress, fiscal year 1940, $6,416.42.

⊥1316

⊥CONSTRUCTION AND REPAIR

School, agency, hospital, etc., buildings.

Construction, and so forth, buildings and utilities, Indian Service: For an additional amount for the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of land and the acquisition of easements or

rights-of-way when necessary, and including the purchase of furniture, furnishings, and equipment, as follows:

Colville, Washington: Not to exceed $7,000 of the appropriation of $30,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for improvement of the water supply, is hereby made available until June 30, 1941, for general repairs, including improvements to the sewer system; Colville, Wash. 50 Stat. 590.

Colville (Inchelium), Washington: To provide school and agency facilities at Inchelium, $138,900, including school building, office building and clinic, jail and quarters, five dwellings, warehouse, garage, and utilities: *Provided*, That no obligations shall be incurred hereunder for the school building unless and until Public School District Numbered 30 of Inchelium, Ferry County, or the State of Washington, contributes one-half of the amount required for the construction of the school facilities provided for herein, which amount shall be credited to this appropriation and shall be available for the purposes of this paragraph; School and agency facilities at Inchelium. *Proviso.* Contribution by State, etc.

Mescalero, New Mexico: Employees' building, $35,000; Mescalero, N. Mex.

Navajo, Arizona: School facilities, $10,000; Navajo, Ariz.

Pine Ridge, South Dakota: School facilities, $114,600; Pine Ridge, S. Dak.

Uintah and Ouray, Utah: Central heating plant, including the installation of distribution lines and radiation and insulation in existing buildings, $30,000; Uintah and Ouray, Utah

In all, fiscal year 1940, to remain available until June 30, 1941, $328,500: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred in the discretion of the Commissioner of Indian Affairs to the amount of any other specific authorization but no limitation shall be increased more than 10 per centum by such transfer. Total. *Proviso.* Limitation on transfers.

ANNUITIES AND PER CAPITA PAYMENTS

Payment to Indians of Sioux Reservations: For an additional amount for payment of Sioux benefits to Indians of the Sioux Reservations as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, for the following fiscal years: Indians of Sioux Reservations, payments. 25 Stat. 895.

For 1938, $70,000;

For 1939, $27,000.

Payment of interest on Indian trust funds: For an additional amount for the payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, for the following fiscal years: Payment of interest on Indian trust funds.

For 1937, $7,153.10;

For 1938, $83,186.02;

For 1939, $380,000.

* * *

⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS ⊥1328

* * *

⊥AUDITED CLAIMS ⊥1330

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1936 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 418, Seventy-sixth Congress, there is appropriated as follows: Audited claims. 18 Stat. 110. 31 U. S. C. § 713. 23 Stat. 254. 5 U. S. C. § 266.

* * *

1332
Department of the Interior

Department of the Interior:

* * *

48 Stat. 1055.

For emergency conservation fund (transfer from War to Interior, Indians, Act June 19, 1934), $148.64.

For emergency conservation fund (transfer from War to Interior, Indians, Act March 31, 1933), $5.04.

48 Stat. 22

For purchase and transportation of Indian supplies, $10.52.

For Indian boarding schools, $396.02.

For support of Indians and administration of Indian property, $62.14.

For Indian school support, $789.08.

For conservation of health among Indians, $1,689.99.

For Indian service supply fund, $73.91.

For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, $4.37.

For agriculture and stock raising among Indians, $32.10.

For education, Sioux Nation, $1.07.

For pay of Indian police, $10.27.

For administration of Indian forests, $17.34.

For water supply for Indians in Arizona and New Mexico, $27.82.

For irrigation, Indian reservations, $2.

* * *

1334
Additional audited claims.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1936 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 114, Seventy-sixth Congress, there is appropriated as follows:

18 Stat. 110.
31 U.S.C. § 713.

23 Stat. 254
5 U. S. C. § 266

* * *

1335

Department of the Interior:

* * *

For irrigation, Indian reservations, $117.09.

For Indian school support, $2,001.85.

For Indian school buildings, 38 cents.

For support of Indians and administration of Indian property, $7.98.

For conservation of health among Indians, $91.41.

For Indian agency buildings, $19.58.

* * *

Approved, August 9, 1939.

[CHAPTER 634]

August 10, 1939
S. 28

[Public, No. 362]
53 Stat. 1337

AN ACT

To provide for the erection of a public historical museum in the Custer Battlefield National Cemetery, Montana.

Custer Battlefield National Cemetery, Mont.
Erection, etc., of public museum within, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed (1) to select a site within the Custer Battlefield National Cemetery, Montana; (2) to erect and maintain thereon, as a memorial to Lieutenant Colonel George A. Custer and the officers and soldiers under his command at the Battle of Little Big Horn River, June 25, 1876, a public museum suitable for housing a collection of historical relics; (3) to accept on behalf of the United States for exhibit in such museum the collection of relics now a part of the estate of Mrs. George A. Custer, deceased, the wife of such

Acceptance for exhibit of historical relics.

Lieutenant Colonel George A. Custer; and (4), in his discretion, to accept such other historical relics as he may deem appropriate for exhibit therein.

Administrative duties of Secretary of War.

SEC. 2. The Secretary of War is authorized and directed, notwithstanding any provision of law to the contrary, to do all things necessary to carry out the provisions of this Act, by contract or otherwise, with or without advertising, under such conditions as he may prescribe, including the engagement by contract of services of such architects, sculptors, artists, or firms, and such other technical and professional personnel as he may deem necessary, without regard to civil-service requirements and restrictions of law governing the employment and compensation of employees of the United States.

Engagement of technical services.

Appropriation authorized.

SEC. 3. There is hereby authorized to be appropriated the sum of $25,000, or so much thereof as may be necessary, to carry out the provisions of this Act.

Approved, August 10, 1939.

[CHAPTER 662]

AN ACT

August 10, 1939
[H. R. 4540]
[Public, No. 375]
53 Stat. 1351

Authorizing the restoration to tribal ownership of certain lands upon the Umatilla Indian Reservation, Oregon, and for other purposes.

Umatilla Indian Reservation, Oreg.
Restoration of certain lands to tribal ownership.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized in his discretion to restore to tribal ownership the undisposed of surplus lands of the Umatilla Indian Reservation, Oregon, heretofore opened to entry or other form of disposal under the public-land laws: *Provided,* That restoration shall be subject to any existing valid rights.

Proviso.
Existing valid rights.

Consolidations through purchase, exchange, or relinquishment.

SEC. 2. For the purpose of effecting land consolidations between Indians and non-Indians within the reservation, the Secretary of the Interior is hereby authorized, under such rules and regulations as he may prescribe, to acquire through purchase, exchange, or relinquishment, any interest in lands, water rights, or surface rights to lands within said reservation. Exchanges of lands hereunder shall be made on the basis of equal value and the value of improvements on lands to be relinquished to the Indians or by Indians to non-Indians shall be given due consideration and allowance made therefor in the valuation of lieu lands. This section shall apply to tribal, trust, or otherwise restricted Indian allotments whether the allottee be living or deceased.

Basis of exchanges.

Restricted allotments included.

Title to be taken in name of United States.

SEC. 3. Title to lands or any interest therein acquired pursuant to this Act for Indian use shall be taken in the name of the United States of America in trust for the tribe or individual Indian for which acquired.

Funds available for expenses.

48 Stat. 985.
25 U.S.C. § 465.

SEC. 4. For the purpose of carrying into effect the land-purchase provision of this Act, the Secretary of the Interior is hereby authorized to use so much as may be necessary of any funds heretofore or hereafter appropriated pursuant to section 5 of the Act of June 18, 1934 (48 Stat. 984).

Approved, August 10, 1939.

[CHAPTER 687]

AN ACT

August 11, 1939
[S. 2141]
[Public, No. 384]
53 Stat. 1405

To authorize acquisition of complete title to the Puyallup Indian Tribal School property at Tacoma, Washington, for Indian sanatorium purposes.

Puyallup Indians, Wash.
Acquisition of land from, for Indian sanatorium purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to acquire, from the Puyallup Tribe of Indians of Washington, for Indian sanatorium

purposes, tracts numbered 6 and 7, containing thirty-eight and fifty one-hundredths acres, including all tribal-owned improvements thereon, of the Indian addition to the city of Tacoma, Washington, established under the Act of March 3, 1893 (27 Stat. 633); title to be conveyed to the United States by such tribal officials as the Puyallup Tribal Council shall authorize by resolution and by such form of relinquishment or deed as the Secretary of the Interior may designate.

27 Stat. 633.
Conveyance of title.

Appropriation authorized.

SEC. 2. In order to carry out the provisions of section 1 hereof there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the ⊥ sum of $228,525, which sum shall be distributed by the Secretary of the Interior in equal shares to the members of the Puyallup Indian Tribe, determined in accordance with the constitution and bylaws of the tribe approved May 13, 1936, as of the date of the passage of this Act, under such rules and regulations as he may prescribe: *Provided*, That acceptance by each individual, or by his or her natural or legal guardian or heirs, of the pro rata share of the amount hereby authorized to be appropriated shall be recognized as completely extinguishing any and all right or interest such member of the tribe might have had in said property.

⊥ 1406

Distribution to members of tribe.

Proviso.
Acceptance an extinguishment of interest.

Payment not a bar to hospitalization, etc.

SEC. 3. The fulfillment of the provisions of section 2 hereof shall not bar the hospitalization of or medical attention to members of the Puyallup Tribe at the Indian sanatorium referred to in section 1.

Approved, August 11, 1939.

[CHAPTER 695]

AN ACT

August 11, 1939
[H. R. 5506]
[Public, No. 392]
53 Stat. 1411

To authorize the Secretary of the Interior to contract with the State Water Conservation Board of Montana and the Tongue River Water Users' Association for participation in the costs and benefits of the Tongue River Storage Reservoir project for the benefit of lands on the Tongue River Indian Reservation, Montana.

Tongue River Indian Reservation, Mont.
Execution of contract for water for irrigating lands on, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to execute a contract with the Tongue River Water Users' Association, a Montana corporation, and the State Water Conservation Board of the State of Montana, providing for the acquiring of a right to the use annually of seven thousand five hundred acre-feet of water from the Tongue River Reservoir project for the irrigation of lands on the Tongue River Indian Reservation, Montana, now without an adequate supply of water, and for the payment therefor of a proper proportionate share of the construction costs of the project: *Provided*, That the cost to the United States shall not exceed a total amount of $360,750, which amount, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be paid in not to exceed thirty-seven annual installments beginning on December 15, 1939, and continuing thereafter until the entire construction costs properly assessable against the Indian lands benefited shall have been paid: *Provided further*, That said contract shall also make provision for payment of the annual operation and maintenance charges properly assessable against the United States on account of its participation in the benefits of said project, and the necessary money to pay such operation and maintenance charges is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

Payment, computation.
Provisos.
Cost limitation.
Appropriation authorized.

Operation and maintenance charges, etc.

Reimbursement.

SEC. 2. Appropriations made for the purpose of this Act shall be reimbursed to the United States under regulations to be prescribed by the Secretary of the Interior.

Approved, August 11, 1939.

SEVENTY-SIXTH CONGRESS, SECOND SESSION, 1939.

No statutes relating to Indians.

PUBLIC LAWS OF THE SEVENTY-SIXTH CONGRESS, THIRD SESSION, 1940-1941.

[CHAPTER 49]

AN ACT

March 9, 1940
[S. 643]
[Public, No. 430]
54 Stat. 48

Authorizing the payment of necessary expenses incurred by certain Indians allotted on the Quinaielt Reservation, State of Washington.

Indians on Quinaielt Reservation, Wash.
Payment to certain attorneys for services rendered and expenses incurred.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to pay the attorneys of record for those Quinaielt Indians who received their allotments on the Quinaielt Reservation, State of Washington, pursuant to judgments or decrees of a United States district or appellate court in a case wherein they were named parties plaintiff, the reasonable and fair value of the services rendered and expenses incurred, as heretofore fixed and determined by said Secretary; and the sum of $28,400.10, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, to make said payments, the amount so paid for the account of each allottee to be reimbursed to the United States out of any funds now or hereafter accruing to the account of each such Indian allottee from the sale of his or her allotment, or the timber thereon.

Appropriation authorized.
Post, p. 642.

Reimbursement.

Approved, March 9, 1940.

[CHAPTER 51]

AN ACT

March 14, 1940
[S. 2847]
[Public, No. 431]
54 Stat. 49

Granting easements on Indian lands of the Wind River or Shoshone Indian Reservation, Wyoming, for dam site and reservoir purposes in connection with the Riverton reclamation project.

Wind River or Shoshone Indian Reservation, Wyo.
Easements granted U. S. concerning Riverton reclamation project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the United States and its assigns, including its successors in control of the operation and maintenance of the Riverton reclamation project, Wyoming, a flowage easement and an easement for a dam site, together with all rights and privileges incident to the use and enjoyment of said easements, over tribal and allotted lands of the Wind River or Shoshone Indian Reservation within that part of said reservation required for the construction of the Bull Lake Dam and Reservoir on Bull Lake Creek, a tributary of the Wind River, in connection with the Riverton reclamation project, Wyoming, and for the impounding of approximately one hundred and fifty-five thousand acre-feet of water, including a ten-foot freeboard: *Provided*, That in consideration of the said rights insofar as they affect tribal lands there shall be deposited into the Treasury of the United States pursuant to the provisions of the Act of May 17, 1926 (44 Stat. 560), for credit to the Shoshone and Arapaho Indians of the Wind River Reservation the sum of $6,500, from moneys appropriated for the construction of the said Bull Lake Dam and Reservoir, and the said sum when so credited shall draw interest at the rate of 4 per centum per annum.

Bull Lake Dam and Reservoir.

Proviso.
Amount to credit of Indians.

25 U. S. C. § 155.

SEC. 2. That compensation to the individual Indian owners of the allotted lands within the area described in section 1 shall be made from moneys appropriated for the construction of the Bull Lake Dam and Reservoir at the appraised value of the easements: *Provided*, That should any individual Indian not agree to accept the appraised value of the easement as it affects his land, the Secretary of the Interior be,

Compensation.

Proviso.
Condemnation proceedings.

and he is hereby, authorized to acquire such easement by condemnation proceedings.

Use of lands, etc., by Indians.

SEC. 3. The easements herein granted shall not interfere with the use by the Indians of the Wind River or Shoshone Indian Reservation of the lands herein dealt with and the waters of Bull Lake Creek and the reservoir insofar as the use by the Indians shall not be inconsistent with the use of said lands for reservoir purposes.

Administrative provisions.

SEC. 4. The Secretary of the Interior is authorized to perform any and all acts and to prescribe such regulations as may be necessary to carry out the provisions of this Act.

Approved, March 14, 1940.

[CHAPTER 77]

April 6, 1940
[H. R. 8641]
[Public, No. 447]
54 Stat. 82

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, to provide supplemental appropriations for such fiscal year, and for other purposes.

First Deficiency Appropriation Act, 1940.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, to provide supplemental appropriations for such fiscal year, and for other purposes, namely:

* * *

183 TITLE I—GENERAL APPROPRIATIONS

* * *

189 DEPARTMENT OF STATE

* * *

190 FIRST INTER-AMERICAN CONGRESS ON INDIAN LIFE

Participation expenses.

For the expenses of participation by the United States in the first Inter-American Congress on Indian Life, to be held at Patzcuaro, Mexico, in 1940, including personal services in the District of Columbia or elsewhere; stenographic reporting, translating, and other services by contract if deemed necessary; rent; travel expense; local transportation; transportation of things; purchase of necessary books, documents, newspapers, and periodicals; stationery; equipment; official cards; printing and binding; official entertainment; costs of assembling, installing, packing, transporting, safekeeping, demonstrating, and renovating a suitable exhibit, and the purchase of supplies incident thereto; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1940, to remain available until June 30, 1941 (convention on the Pan American Union, adopted at Havana, Cuba, February 1928, ratified by the President March 6, 1931; resolution XCIII, adopted at Montevideo, December 24, 1933; resolution XIII, adopted at Lima, Peru, December 31, 1938), $2,000.

Printing and binding.

Reimbursement of other appropriations.

Availability.

* * *

192 TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

194 AUDITED CLAIMS

Payment.

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the

provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1937 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U.S.C. 266), as fully set forth in House Document Numbered 627, Seventy-sixth Congress, there is appropriated as follows: 18 Stat. 110. 23 Stat. 254.

* * *

⊥Department of the Interior: ⊥96 Department of the Interior

* * *

For emergency conservation work (transfer to Interior, Indians, Act June 22, 1936), $423.83. 49 Stat. 1601.

For construction, and so forth, irrigation systems, Indian reservations (reimbursable), $71.01.

For emergency conservation work (transfer to Interior, Indians, Act February 9, 1937), $4,469.87. 50 Stat. 10.

For support of Indians and administration of Indian property, $1,407.07.

For agriculture and stock raising among Indians, $123.20.

For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, $28.

For conservation of health among Indians, $898.92.

For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), $62.61.

For suppressing liquor traffic among Indians, $6.95.

For clinical survey of disease conditions among Indians, $179.98.

For Indian boarding schools, $13.65.

For purchase and transportation of Indian supplies, $2.64.

⊥For irrigation, Indian reservations (reimbursable), $31.01. ⊥97

For expenses of organizing Indian corporations, and so forth, $114.34.

For administration of Indian forests, $8.20.

For Indian school support, $518.83.

For pay of Indian police, $2.60.

For emergency conservation fund (transfer from War to Interior, Indians, Act March 31, 1933), $138.95. 48 Stat. 22.

* * *

⊥Emergency Relief: ⊥99

* * *

⊥For emergency relief, Interior, Indians, loans and grants to Indians for rehabilitation, $15.25. ⊥100

For emergency relief, Emergency Conservation Work, Interior, Indians, miscellaneous projects, Indian reservations, $601.21.

* * *

⊥(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of ⊥section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1937 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U.S.C. 266), as fully set forth in Senate Document Numbered 157, Seventy-sixth Congress, there is appropriated as follows: ⊥101 Additional audited claims. ⊥102 18 Stat. 110. 23 Stat. 254.

* * *

Department of the Interior: Department of the Interior.

* * *

For Indian school support, $10.26.

For conservation of health among Indians, $19.50.

50 Stat. 10.

For emergency conservation work (transfer to Interior, Indians, Act February 9, 1937), $177.38.

* * *

1103

Emergency Relief:

* * *

For emergency relief, Emergency Conservation Work, Interior, Indians, miscellaneous projects, Indian reservations, $8.40.

* * *

Approved, April 6, 1940.

[CHAPTER 78]

April 11, 1940
[S. J. Res. 153]
[Pub. Res., No. 60]
54 Stat. 105

JOINT RESOLUTION

To approve the action of the Secretary of the Interior in deferring the collection of certain irrigation charges against lands under the Blackfeet Indian irrigation project.

Blackfeet Indian irrigation project, Mont.
25 U. S. C., Supp. V, § 389

Whereas the Act of Congress approved June 22, 1936 (49 Stat. 1803), provides that the Secretary of the Interior may adjust, defer, or cancel irrigation charges against non-Indian-owned lands within Indian irrigation projects, where conditions are found to justify such action, subject to the approval of Congress; and

Whereas an investigation of conditions affecting the Blackfeet Indian irrigation project, Montana, is contemplated within the near future pursuant to the provisions of the said Act; and

Whereas the Secretary of the Interior has deferred certain irrigation charges against lands of the said project which are now delinquent or will become due and payable before the proposed investigation can be completed: Now, therefore, be it

Deferment of certain irrigation charges; approval.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with the Act of June 22, 1936 (49 Stat. 1803), the action of the Secretary of the Interior in deferring such charges under said irrigation project is hereby approved.

Approved, April 11, 1940.

[CHAPTER 79]

April 11, 1940
[S. 607]
[Public, No. 448]
54 Stat. 105

AN ACT

To amend section 40 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended.

U. S. Employees' Compensation Act, amendment.

39 Stat. 750.
5 U. S. C., § 790, Supp. V, § 790.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 40 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, is amended by inserting after the words "Panama Railroad Company" the following: "and all persons, other than independent contractors and their employees, employed on the Menominee Indian Reservation in the State of Wisconsin, subsequent to September 7, 1916, in operations conducted pursuant to the Act entitled 'An Act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin', approved March 28, 1908, as amended, or any other Act relating to tribal timber and logging operations on the Menominee Reservation".

Application to employees of Menominee Indian Reservation, Wis.

35 Stat. 51, 36 Stat. 1076, 40 Stat. 589.

Provisions retroactive.

SEC. 2. Any award heretofore made by the United States Employees' Compensation Commission under such Act of September 7, 1916, to persons coming within the purview of the first section hereof, for disability or death resulting from a personal injury sustained prior to

the enactment of this Act, shall be valid, if such award would be valid if made in respect to an injury or death sustained after the enactment of this Act. Claim on account of disability or death of any person coming within the purview of the first section hereof, for benefits on account of injury incurred subsequent to July 28, 1935, may be filed under said Act: *Provided*, That such claim be filed within one year after the approval hereof.

Injury incurred since July 28, 1935.

Proviso.
Time for filing claim.

Approved, April 11, 1940.

[CHAPTER 80]

AN ACT

April 11, 1940
[S. 2609]
[Public, No. 449]
54 Stat. 106

To reimpose the trust on certain lands allotted to Indians of the Crow Tribe, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the period of trust on lands allotted to Indians of the Crow Reservation, Montana, upon which the trust period expired July 14, 1931, or at any other time prior to the approval of this Act, and for which lands patents in fee have not been issued, is hereby reimposed and extended to May 23, 1940: *Provided*, That further extension of the period of trust may be made by the President, in his discretion, as provided by section 5 of the Act of February 8, 1887 (24 Stat. 388), and the Act of June 21, 1906 (34 Stat. 326).

Crow Indian Reservation, Mont.
Period of trust on certain allotments extended.

Proviso.
Further extension permitted.
25 U. S. C. §§ 348, 391.

Approved, April 11, 1940.

[CHAPTER 107]

AN ACT

April 18, 1940
[H. R. 7922]
[Public, No. 459]
54 Stat. 111

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, namely:

Independent Offices Appropriation Act, 1941.

† 112

* * *

† FEDERAL WORKS AGENCY

† 124

* * *

† PUBLIC-LANDS HIGHWAYS

† 129

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the Act of June 24, 1930 (23 U. S. C. 3), $1,000,000, to be immediately available and to remain available until expended, which sum is authorized for the fiscal year 1941 by section 6 of the Act approved June 8, 1938 (52 Stat. 635).

Survey, construction, etc.

46 Stat. 805.

Total Public Roads Administration, $140,990,000.

* * *

Approved, April 18, 1940.

[CHAPTER 158]

JOINT RESOLUTION

April 25, 1940
[H. J. Res. 289]
[Pub. Res., No. 66]
54 Stat. 168

To amend section 5 of Public Law Numbered 360, Sixty-sixth Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Osage

Osage Act, amendment.

Act (S. 4039, Public, Numbered 360, Sixty-sixth Congress; 41 Stat. 1249) be amended to read as follows:

State tax upon oil and gas produced in Osage County, Okla., exception

To be in lieu of other State taxes

Rate, on royalty interests

"SEC. 5. That the State of Oklahoma is authorized from and after the passage of this Act to levy and collect a gross-production tax, not to exceed the existing rate, upon all oil and gas produced in Osage County, Oklahoma, except as herein otherwise provided, and all taxes so collected shall be paid and distributed, and shall be in lieu of all other State and county taxes levied upon the production of oil and gas as provided by the laws of Oklahoma. The gross-production tax on the royalty interests of the Osage Indians shall be at the rate levied by said State but in no event to exceed 5 per centum and said tax shall be paid by the Secretary of the Interior, through the proper officers of the Osage Agency, to the State of Oklahoma from the amount received by the Osage Indians from the production of oil and gas to be distributed in like manner as gross-production tax under the laws of said State and the Secretary shall pay the tax herein authorized upon the condition and not otherwise that an additional one-fifth of said sum or sums paid by the Secretary in pursuance of this Act shall be delivered over to Osage County, Oklahoma, at the same time or times as the other payment or payments herein provided for are made to said county, one-half thereof to be apportioned to a fund to be used by said county only for the construction and maintenance of roads and bridges therein, the other one-half thereof to be used for the maintenance of common schools of said county as provided by law."

Conditional provision.

Approved, April 25, 1940.

[CHAPTER 159]

AN ACT

April 26, 1940
[H. R. 3406]
[Public, No. 486]
54 Stat. 168

For forest protection against the white-pine blister rust, and for other purposes.

White-pine blister rust
Cooperative forest protection measures against, authorized

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to promote the stability of white-pine forest-using industries, employment, and communities through the continuous supply of white- and sugar-pine timber, the Secretary of Agriculture is authorized in cooperation [169] with such agencies as he may deem necessary to use such funds as have been, or may hereafter be, made available for the purpose of controlling white-pine blister rust, by preventing the spread to, and eliminating white-pine blister rust from, all forest lands, irrespective of the ownership thereof, when in the judgment of the Secretary of Agriculture the use of such funds on such lands is necessary in the control of the white-pine blister rust: *Provided,* That in the discretion of the Secretary of Agriculture no expenditures from funds provided under this authorization shall be made on private or State lands (except where such lands are intermingled with those which are federally owned and it is necessary in order to protect the property of the United States to work on those parts of the private or State-owned lands that immediately adjoin Federal lands) until a sum, or sums, at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities or by individuals or organizations concerned: *Provided further,* That no part of such appropriations shall be used to pay the cost or value of property injured or destroyed: *And provided further,* That any plan for the control and elimination of white-pine blister rust on lands owned by the United States or retained under restriction by the United States for Indian tribes and for individual Indians shall be subject to the approval of the Federal agency or Indian tribe having jurisdiction over such lands, and the Secretary of Agriculture may, in his discretion and out of any moneys made available under this Act, make allocations to said Federal agencies in such amounts as he may deem necessary for white-pine blister-rust control and elimination on lands

Provisos
State or local contribution

No pay for property injured, etc

Work on Indian lands

so held or owned by the United States, the moneys so allocated to be expended by said agencies for the purposes specified.

Approved, April 26, 1940.

[CHAPTER 206]

AN ACT

May 24, 1940
[S. 1036]
[Public, No. 520]
54 Stat. 219

To authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to purchase privately owned lands and improvements within and adjacent to the Turtle Mountain Reservation, North Dakota, title to be taken in the United States of America in trust for the Indians of the Turtle Mountain Reservation. For the purpose of making the purchases herein authorized, the Secretary of the Interior is hereby authorized to use any available funds heretofore or hereafter appropriated pursuant to the authority contained in section 5 of the Act of June 18, 1934 (48 Stat. 984): *Provided*, That title to the land so purchased may, in the discretion of the Secretary of the Interior, be taken for the surface only: *Provided further*, That lands purchased under this authority shall not be allotted in severalty.

Turtle Mountain Reservation, N. Dak.
Purchase of lands, etc., for benefit of Indians

25 U.S.C. § 465

Provisos.
Title to the land.

No allotments in severalty.

SEC. 2. For the purpose of this Act, the Indians of the Turtle Mountain Reservation shall include the following: (1) All Indians carried on the official census of the Turtle Mountain Reservation as of the date of this Act; (2) all unenrolled Indians who were members of the band or bands which constituted the Turtle Mountain Tribe prior to October 8, 1904, but who failed to apply for enrollment on the roll closed on that date, and their descendants of one-half or more Indian blood. The roll of Turtle Mountain Indians as defined in this Act shall be prepared under the direction of the Secretary of the Interior and shall be kept current by striking the names of deceased persons and adding the names of Indians of one-fourth or more Indian blood who are descendants of persons enrolled on said roll: *Provided*, That Turtle Mountain Indians domiciled in Canada shall not be included.

Indians of Turtle Mountain Reservation.
Persons included, for purpose of Act

Proviso.
Persons excluded.

Approved, May 24, 1940.

[CHAPTER 276]

AN ACT

June 8, 1940
[H.R. 3048]
[Public, No. 565]
54 Stat. 249

To confer jurisdiction on the State of Kansas over offenses committed by or against Indians on Indian reservations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the State of Kansas over offenses committed by or against Indians on Indian reservations, including trust or restricted allotments, within the State of Kansas, to the same extent as its courts have jurisdiction over offenses committed elsewhere within the State in accordance with the laws of the State: *Provided, however*, That nothing herein contained shall deprive the courts of the United States of jurisdiction over offenses defined by the laws of the United States committed by or against Indians on Indian reservations.

Kansas.
Jurisdiction over offenses involving certain Indians.

Proviso.
Noninterference with jurisdiction of U.S. courts.

Approved, June 8, 1940.

[CHAPTER 280]

AN ACT

June 8, 1940
[H.R. 5477]
[Public, No. 569]
54 Stat. 252

For the benefit of the Indians of the Crow Reservation, Montana, and for other purposes.

Be it enacted by the Senate and House of Representatives of the

Crow Indian Reservation, Mont.
41 Stat. 752.

United States of America in Congress assembled, That section 2 of the Act of June 4, 1920 (41 Stat. 751), entitled "An Act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes", is hereby amended by inserting the following at the end of paragraph 1: "*Provided,* That for the purpose of consolidating the restricted land holdings of any individual Crow allottee or the holdings of members of a Crow family, the Secretary of the Interior is authorized, in his discretion and under such rules and regulations as he may prescribe, to approve sales of allotted and inherited Indian lands to members of the Crow Tribe or the exchange of restricted Crow lands without regard to the acreage limitation hereinbefore set out. Any sales or exchange made hereunder shall be upon a petition signed by the adult allottee and by the adult heirs of any deceased allottee and the parent or natural guardian of a minor heir or, if there be no natural guardian, by the officer in charge of the Crow Agency, and if the purchaser or recipient of such lands be an Indian of the Crow Tribe, then any outstanding trust patent or patents covering the land so sold or exchanged shall be canceled and a new patent of the force and legal effect of the trust patents as prescribed by the General Allotment Act of February 8, 1887 (24 Stat. 388), as amended, shall be issued to such Indian or Indians, which patent where applicable shall contain the mineral reservation provided in section 6 of this Act. Should any Crow allottee wish to retain mineral rights now owned by him in land, sold hereunder to other members of the tribe, he may do so by making conveyance on a form of deed to be prescribed by the Secretary of the Interior, which form shall provide that its approval shall not operate to remove any trust or other conditions imposed upon said lands as expressed in the original trust or any other patent issued therefor."

Proviso.
Sale or exchange of allotted, etc., lands.

Transaction to be upon petition, signers.

Issuance of new patent.

24 Stat. 389
25 U. S. C. § 348.

41 Stat. 753

Retention of mineral rights.

Approved, June 8, 1940.

[CHAPTER 283]

AN ACT

June 8, 1940
[H. R. 5961]
[Public, No. 572]
54 Stat. 253

Granting to the regents of the University of New Mexico the right to alienate certain lands conveyed to them under authority of the Act of Congress, approved August 19, 1935 (49 Stat. 659), in exchange for an equivalent amount of land more expediently situated.

University of New Mexico.
Conveyance of certain lands by, to Santa Ana Pueblo, authorized.
49 Stat. 659.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the regents of the University of New Mexico be, and they are hereby, authorized to convey to the Santa Ana Pueblo that certain portion of the lands patented to them under authority of the Act of Congress, approved August 19, 1935 (Public, Numbered 284, Seventy-fourth Congress), described as follows:

Description.

A strip of land one hundred feet wide extending along the north and west boundaries of the northwest quarter section 30, and a strip of land one hundred feet wide extending along the north boundary of lot 7, section 30, all in township 13 north, range 4 east, New Mexico principal meridian, New Mexico, these tracts comprising thirteen and three-tenths acres, more or less:

Conveyance of Santa Ana Pueblo lands.

That the pueblo of Santa Ana, a community of Pueblo Indians residing in New Mexico, with the approval of the Secretary of the Interior, is hereby authorized to convey to the regents of the University of New Mexico and the said regents of the University of New Mexico are hereby authorized to accept from the said Santa Ana Pueblo in exchange for the aforesaid lands, lots 3 and 6 and that portion of lot 2, section 30, township 13 north, range 4 east, New Mexico principal meridian, New Mexico, lying south of a line beginning at a point on the west boundary of lot 2, north eight degrees fifty minutes east six hundred and ninety-two and eight-tenths feet from

Description.

angle point one on the west boundary of the El Ranchito grant and bearing south sixty-three degrees forty minutes east to the west bank of the Rio Grande, containing a total area of ⊥eleven and eight-tenths acres, more or less: *Provided*, That any lands conveyed to the pueblo of Santa Ana pursuant to the provisions of this Act shall acquire the same legal status as those lands now owned by the pueblo, which may be conveyed to the regents of the University of New Mexico pursuant hereto.

1254

Proviso.
Legal status of lands conveyed to pueblo of Santa Ana.

Approved, June 8, 1940.

[CHAPTER 285]

AN ACT

June 8, 1940
[H. R. 7833]
[Public, No. 574]
54 Stat. 254

To set aside certain lands for the Minnesota Chippewa Tribe in the State of Minnesota, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to the payments prescribed by section 2 hereof the following-described lands are hereby eliminated from the Chippewa National Forest and permanently reserved for the use of the Minnesota Chippewa Tribe without in any manner affecting existing reserves for church, cemetery, and other purposes, or individual rights or interest in said lands: South half northwest quarter southwest quarter, southeast quarter southwest quarter, section 12; northwest quarter northwest quarter, west half northeast quarter northwest quarter, south half northwest quarter, west half southwest quarter, lots 2, 4, 5, and 6, section 13; northeast quarter southeast quarter, section 14; lots 11, 12, 13, 3, 4, 6, 7, 8, and 9, section 24, township 142 north, range 31 west, fifth principal meridian, Minnesota, excepting a tract containing approximately one and ninety one-hundredths acres, being that portion of lot 4, section 13, township 142 north, range 31 west, beginning at angle point 1, lot 5, section 13, township 142 north, range 31 west; thence north thirty-three degrees forty-two minutes east one hundred and twenty-nine and five-tenths feet; thence south eighty-nine degrees forty-eight minutes east two hundred and thirty-one and four-tenths feet; thence south one degree fifty-four minutes west eighty-five and two-tenths feet; thence south nine degrees thirty-one minutes east two hundred and five and two-tenths feet; thence south nine degrees no minutes west eighty and four-tenths feet; thence south forty-one degrees nineteen minutes west one hundred and nineteen and four-tenths feet to angle point 4, lot 5; thence along the boundary of lot 5, north fifty-one degrees no minutes west one hundred and twenty and one-tenth feet to angle point 5, lot 5, north thirty-seven degrees forty-five minutes east one hundred and twenty and one-tenth feet to angle point 6, lot 5, north fifty-one degrees no minutes west two hundred and eighty-seven and one-tenth feet to angle point 1, lot 5, and point of beginning.

Minnesota Chippewa Tribe.
Lands permanently reserved for use of.

Description.

SEC. 2. That the Secretary of the Interior is hereby authorized to withdraw from the Minnesota Chippewa tribal fund now held in trust in the Treasury of the United States a sufficient sum to reim-⊥burse the United States for the land and timber thereon, the value of the land to be calculated at $1.25 per acre, and the value of the timber to be ascertained by the Secretary of Agriculture after the same has been examined and appraised under his supervision: *Provided, however*, That the transaction contemplated in this and the preceding section shall be effected only with the consent of the Minnesota Chippewa Tribe expressed through the body authorized to represent it: *And provided further*, That all money received by the United States under the authority of this Act shall be deposited in the Treasury of the United States, and the same is hereby appropriated for the acquisition of forest land within the Chippewa National Forest under

Payment for land, etc., from tribal funds.

1255

Provisos.
Consent of tribe necessary.

Deposit of funds.

Appropriation.

36 Stat. 961.

the provisions of the Act approved March 1, 1911, as amended (U. S. C., title 16, secs. 513, 519, 521).

Exchanges of land authorized.
Acceptance of Indian lands; issuance of trust patents.

SEC. 3. That exchanges of Indian allotted, restricted, and tribal lands for lands in the Chippewa National Forest are hereby authorized. In order to consummate exchanges involving allotted and restricted Indian lands, the Secretary of the Interior is hereby authorized to accept relinquishments or conveyances of Indian lands, which lands shall thereupon become a part of the Chippewa National Forest, and to issue trust patents to the Indians for the lands received by them in exchange: *Provided*, That with the consent of the Indians involved title to the lands received in any such exchange may be taken in the name of the tribe, in which case the transfer of title shall be evidenced by an order of the Secretary of Agriculture transferring the lands to the Secretary of the Interior in trust for the Minnesota Chippewa Tribe: *Provided further*, That exchanges involving tribal lands shall be made only with the consent of the Indians and shall be evidenced by appropriate orders of transfer executed by the Secretary of Agriculture and the Secretary of the Interior: *And provided further*, That the land exchanges authorized herein shall be made on the basis of lands of equal value, and no exchange shall be made unless it is first approved by the Secretary of Agriculture.

Provisos.
Transfer of title.

Consent of Indians.

Basis for exchange, approval by Secretary of Agriculture.

Approved, June 8, 1940.

[CHAPTER 304]

June 11, 1940
[H. R. 9394]
[Public, No. 586]
54 Stat. 262

AN ACT

To provide for the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia.

Cumberland Gap National Historical Park, Tenn., Ky., and Va.
Establishment of, upon acquisition of title to lands, etc., by U.S.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to all the lands, structures, and other property in the Cumberland Gap-Cumberland Ford areas, being portions of the Warriors Path of the Indians and Wilderness Road of Daniel Boone, within Bell and Harlan Counties, Kentucky; Lee County, Virginia; and Claiborne County, Tennessee; as may be determined by the Secretary of the Interior as necessary or desirable for national historical park purposes, shall have been vested in the United States such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the "Cumberland Gap National Historical Park": *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid areas: *Provided further*, That such area or areas shall include, at least, the following features and intervening lands: Cumberland Gap, The Pinnacle, the remaining fortifications of the War between the States, Soldiers Cave, King Solomon's Cave, Devils Garden, Sand Cave, The Doublings, White Rocks, Rocky Face, Moore Knob, and that portion of the Warriors Path and Daniel Boone's Wilderness Road extending from the city of Cumberland Gap, Tennessee, to Cumberland Ford, near Pineville, Kentucky.

Provisos.
Restriction on use of funds.

Lands, etc., to be included.

⊥263

Limitation on area.

Lands excluded.

⊥SEC. 2. The total area of the Cumberland Gap National Historical Park, as determined pursuant to this Act, shall not exceed fifty thousand acres, and shall not include any land within the city limits of Middlesboro and Pineville, Kentucky; Cumberland Gap, Tennessee; or any lands adjacent thereto which the proper officials thereof shall indicate to the Secretary of the Interior prior to the establishment of said park are required for expansion of said cities.

Acceptance of donations of land, etc., authorized.

SEC. 3. That the Secretary of the Interior be, and he is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of the said historical park as determined and fixed hereunder, and donations of funds for the purchase and maintenance thereof: *Provided*, That he

Proviso.

may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within said historical park as may be necessary for the completion thereof. The title to any lands or interests in lands to be acquired pursuant to this Act shall be satisfactory to the Secretary of the Interior.

Acquisition of certain lands from donated funds.

25 Stat. 357.
40 U. S. C. §§ 257, 258.

SEC. 4. The administration, protection, and development of the aforesaid national historical park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Administration, etc.

16 U. S. C. §§ 1-4; Supp. V, §§ 1, 2.

Approved, June 11, 1940.

[CHAPTER 315]

AN ACT

June 11, 1940
[H. R. 952]
[Public, No. 590]
54 Stat. 298

For the relief of Indians who have paid taxes on allotted lands for which patents in fee were issued without application by or consent of the allottees and subsequently canceled, and for the reimbursement of public subdivisions by whom judgments for such claims have been paid.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, under such rules and regulations as he may prescribe, to reimburse Indian allottees and Indian heirs of allottees for all taxes paid on so much of their allotted lands as, having been patented in fee prior to the expiration of the period of trust, without application by or consent of the patentee, has been or may be restored to trust status through cancelation of the fee patent by the Secretary of the Interior: *Provided*, That in any case in which a claim against a State, county, or political subdivision thereof for taxes collected upon such lands while the patent in fee was outstanding has been reduced to judgment, and such judgment remains unsatisfied, the Secretary of the Interior is authorized, upon reimbursement by him to the Indian of the amount of taxes, including penalties and interest, paid thereon, and upon payment by the State, county, or political subdivision thereof of the costs of the suit, to cause such judgment to be released: *Provided further*, That in any case in which a claim has been reduced to judgment and such judgment has been satisfied, the Secretary of the Interior is authorized, upon proof of satisfaction therof, to reimburse the State, county, or political subdivision thereof, for the actual amount of the judgment, exclusive of the costs of litigation.

Reimbursement of Indians for taxes paid on allotted lands.

Provisos.
Release of judgments.

Reimbursement of States, etc.

SEC. 2. There is hereby authorized to be appropriated the sum of $75,000, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, for the purpose of carrying out the provisions of this Act.

Appropriation authorized.

Any appropriations made pursuant to this section shall remain available until expended.

Availability of funds.

Approved, June 11, 1940.

[CHAPTER 318]

AN ACT

June 11, 1940
[H. R. 6668]
[Public, No. 593]
54 Stat. 299

To authorize the Secretary of the Interior to convey to the State of North Carolina for use in connection with the Blue Ridge Parkway certain land within the Cherokee Indian Reservation in the State of North Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey to the State of North Carolina for use as a right-of-way in connection with the Blue Ridge

Blue Ridge Parkway, N. C.
Conveyances of land to State of N. C., authorized.

⊥300

Parkway in the State of North Carolina all right, title, and ⊥interest of the United States and the Eastern Band of Cherokee Indians in such land and the timber thereon, to be determined as hereinafter provided, within the Cherokee Indian Reservation in the State of North Carolina as may be necessary for the construction and maintenance of such parkway over the following course: Beginning at a point in State Highway Numbered 293 near Soco Gap and extending to a junction with State Highway Numbered 107, near the mouth of the Ravens Fork of the Oconoluftee River by way of the following approximate controls: Leaving Soco Gap and following the east and northerly slopes of Soco and Bunches Bald ridge and crossing through Docks Gap to the south and west side of Soco and Bunches Bald; thence crossing Lickstone Ridge and entering Bunches Gap from the south; thence from Bunches Gap, following the south slopes of the main ridge, crossing Jenkins Divide ridge and entering Big Witch Gap from the southeast; thence leaving Big Witch Gap in a northwesterly direction and keeping on the northerly and westerly slopes of the main ridge, but crossing the various spur ridges circling around the heads of Mingo Creek and Sherrills Cove, and around the north end of the ridge lying immediately northeast of the Ravensford Mill site, crossing the Oconoluftee River to the junction with State Highway Numbered 107, previously referred to, and in addition, starting in a northeasterly direction from Bunches Gap passing about one-half mile north of Soco Bald; thence turning north and intersecting the boundary between the Qualla Indian Reservation and the Great Smoky Mountains National Park at a point approximately one mile northeast of Bunches Gap.

Description

Survey before conveyance.

SEC. 2. Before making such conveyance, the Secretary of the Interior shall have the lands along such course surveyed and shall determine the exact location and boundaries of the land to be conveyed for use as such right-of-way, which shall not exceed one hundred and twenty-five acres per mile. The deed of conveyance for such land shall contain an accurate description of the location and boundaries of such land in order that the interests of the United States and the Eastern Band of Cherokee Indians may be properly protected.

Deed of conveyance

Payment by State to U.S.

SEC. 3. In consideration of conveyance, the State of North Carolina shall pay to the United States the sum of $40,000 or $30 per acre for the lands embraced in the right-of-way described in section 1, whichever sum is the largest, which shall be deposited in the Treasury to the credit of the Eastern Band of Cherokee Indians and held in trust by the United States for the Eastern Band of Cherokee Indians. It is understood and agreed that the State of North Carolina shall build without further payment for right-of-way, and without expense to the United States or the Cherokee Indians, a suitable State highway between Soco Gap and Cherokee Village, subject to the same laws, rules and regulations applicable to all State highways of North Carolina.

Deposit.

Construction of State highway, location

Eastern Band of Cherokee Indians
Granting to, of interest in designated lands, authorized

SEC. 4. The Secretary of the Interior is hereby authorized, in his discretion, to grant to the Eastern Band of Cherokee Indians the beneficial interest in any lands selected by the council of said band within the Boundary Tree tract, containing approximately eight hundred and eighty-four acres; and the said Secretary is hereby directed to exclude from the Great Smoky Mountains National Park any lands so selected and granted. Prior to the consummation of any such grant, payment shall be made for all lands included therein by the transfer of a sum equal to the fair market value of such lands, as determined by the Secretary of the Interior, from any funds in the United States Treasury to the credit of said band, including funds made available under section 3 hereof, to the credit of the fund ⊥"National Park Service, donations", which transfer the Secretary of

Payment by transfer of funds

⊥301

the Treasury is hereby authorized to make upon request by the council of said band approved by the Secretary of the Interior. Funds so transferred shall be available for national park and monument uses, including the acquisition of lands for inclusion in the Great Smoky Mountains National Park. All lands purchased or otherwise acquired for the Eastern Band of Cherokee Indians under authority contained in this Act shall constitute a part of the Cherokee Indian Reservation in North Carolina, shall be held by the United States in trust for said band, and shall be nontaxable, nonalienable to the same extent as other lands within said reservation.

Availability of transferred funds

Inclusion of acquired lands in Reservation

Approved, June 11, 1940.

[CHAPTER 320]

AN ACT

June 11, 1940
[H. R. 7530]
[Public, No. 595]
54 Stat. 301

To transfer the site and buildings of the Tomah Indian School to the State of Wisconsin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to transfer to the State of Wisconsin, upon such terms and in such manner as may be mutually agreed upon, for institutional or other public use, title to all or any part of the property known and designated as the Tomah Indian School located at Tomah, Wisconsin.

Tomah Indian School, Wis.
Transfer to State of Wisconsin of title to property

Approved, June 11, 1940.

[CHAPTER 322]

AN ACT

June 11, 1940
[H. R. 7901]
[Public, No. 597]
54 Stat. 303

To transfer certain Indian lands to the Grand River Dam Authority, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the Grand River Dam Authority, a public corporation of the State of Oklahoma, all the right, title, and interest held by the United States and by individual Indians and tribes of Indians in Indian lands located in Ottawa, Delaware, Craig, and Mayes Counties, Oklahoma, lying below an elevation of seven hundred and fifty feet above mean sea level, which may be required for the Grand River Dam Reservoir, subject, however, to the consent of the respective individual Indian owners or tribes as the case may be, the approval of a map of definite location by the Secretary of the Interior, and the payment of such compensation as he may determine: *Provided*, That should any individual owners or tribes refuse their consent, condemnation is hereby authorized, in the appropriate Federal district court, the United States to be made a party defendant with the Indians: *Provided further*, That the consent of the Cherokee Nation shall be given by and through a principal Chief to be appointed under section 6 of the Act of April 26, 1906 (34 Stat. 137, 139): *Provided further*, That as to the lands of the Seneca Indian School, the interest conveyed hereby shall be a flowage easement only.

Grand River Dam Authority
Granting to, of certain Indian lands

Conditions

Provisos
Condemnation authorized

Consent of Cherokee Nation

Seneca Indian School lands

SEC. 2. The Secretary of the Interior is hereby authorized to prescribe necessary rules and regulations for carrying out this Act, and in his discretion to utilize the compensation received hereunder in the purchase of lieu lands, to be held in like manner as may be appropriate in each case, subject where applicable to the provisions of the Act of June 30, 1932 (47 Stat. 474).

Regulations, etc.

Purchase of lieu lands

25 U. S. C. § 409a.

Approved, June 11, 1940.

[CHAPTER 355]

June 13, 1940
[S. 3677]
[Public, No. 623]
54 Stat. 386

AN ACT

To donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps.

Seattle, Wash.
Donation of totem pole to, authorized

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Director of the Civilian Conservation Corps, through the regional forester, United States Forest Service, Juneau, Alaska, is hereby authorized to donate to the city of Seattle, Washington, the duplicate of the pioneer place totem pole which has been carved by Alaskan native Civilian Conservation Corps enrollees.

Approved, June 13, 1940.

[CHAPTER 323]

June 11, 1940
[H.R. 8119]
[Public, No. 598]
54 Stat. 304

AN ACT

To amend the Criminal Code so as to confer concurrent jurisdiction on courts of the United States over crimes committed on certain Federal reservations.

Criminal Code, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 272, paragraph Third of the Criminal Code (Act of March 4, 1909, sec. 272; 35 Stat. 1143; U. S. C., title 18, sec. 451) be amended to read as follows:

Offenses on lands under exclusive or concurrent jurisdiction of U. S.

"Third. When committed within or on any lands reserved or acquired for the use of the United States, and under the exclusive or concurrent jurisdiction thereof, or any place purchased or otherwise acquired by the United States by consent of the legislature of the State in which the same shall be, for the erection of a fort, magazine, arsenal, dockyard, or other needful building."

Approved, June 11, 1940.

[CHAPTER 359]

June 13, 1940
[H.R. 7019]
[Public, No. 627]
54 Stat. 391

AN ACT

To amend section 1 of the Act providing punishment for the killing or assaulting of Federal officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of May 18, 1934 (ch. 299, 48 Stat. 780), as amended (U. S. C., title 18, sec. 253), be, and it is hereby, amended to read as follows:

18 U. S. C., Supp. V, § 253.

Punishment for killing Federal officers
18 U. S. C. §§ 452, 453

"That whoever shall kill, as defined in sections 273 and 274 of the Criminal Code, any United States marshal or deputy United States marshal or person employed to assist a United States marshal or deputy United States marshal, any officer or employee of the Federal Bureau of Investigation of the Department of Justice, post-office inspector, Secret Service operative, any officer or enlisted man of the Coast Guard, any employee of any United States penal or correctional institution, any officer, employee, agent, or other person in the service of the customs or of the internal revenue, any immigrant inspector or any immigration patrol inspector, any officer or employee of the Department of Agriculture or of the Department of the Interior designated by the Secretary of Agriculture or the Secretary of the Interior to enforce any Act of Congress for the protection, preservation, or restoration of game and other wild birds and animals, any officer or employee of the National Park Service, any officer or employee of, or assigned to duty in, the field service of the Division of Grazing of the Department of the Interior, or any officer or employee of the Indian field service of the United States, while engaged in the performance of his official duties, or on account of the performance of his official duties, shall be punished as provided under section 275 of the Criminal Code."

18 U. S. C. § 454.

Approved, June 13, 1940.

[CHAPTER 395]

AN ACT

June 18, 1940
[H.R. 8745]
[Public, No. 640]
54 Stat. 406

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1941, namely:

Interior Department Appropriation Act, 1941.

* * *

OFFICE OF THE SECRETARY

* * *

⊥CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

⊥408

* * *

⊥For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, $800, and in addition there is hereby made available from any appropriations made for any of the following bureaus or offices of the Department not to exceed the following respective sums: Indian Service, $500; Bureau of Reclamation, $6,000; Geological Survey, $6,000; National Park Service, $2,200; General Land Office, $500; Bureau of Mines, $4,000; Bureau of Fisheries, $500.

⊥409
Purchase of books, etc.

Additional sums from specified appropriations.

* * *

⊥BUREAU OF INDIAN AFFAIRS

⊥413

SALARIES

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $548,580.

Salaries.

GENERAL EXPENSES

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $36,500.

Traveling expenses, etc.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $799,720: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Advertising, etc., expenses.

Proviso.
Restriction on payments.

For maintaining law and order on Indian reservations, including pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, and including traveling expenses, supplies, and equipment, $255,340.

Maintenance of law and order on Indian reservations.

For lease, purchase, construction, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands for agency purposes and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $200,000: *Provided*, That no part of this appropriation shall be available for the construction of any building the total cost of which is in excess of $1,500.

Lease, etc., of agency buildings.

Proviso.
Construction of buildings, limitation.

Tribal organizations, expenses.

25 U. S. C. § 469; Supp. V, §§ 478a, 478b, 501–509; 48 U. S. C., Supp. V, §§ 358a, 362.

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), as supplemented and amended by the Acts of June 15, 1935 (49 Stat. 378), May 1, 1936 (49 Stat. 1250), and June 26, 1936 (49 Stat. 1967), including personal services, purchase of equipment and supplies, not to exceed $3,000 for printing and binding, and other necessary expenses, $74,540, of which not to exceed $18,000 may be used for personal services in the District of Columbia: *Provided*, That in the discretion of the Secretary of the Interior, not to exceed $3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work: *Provided further*, That no part of this appropriation shall be available for expenditure in that part of the State of New Mexico embraced in the Navajo Indian Reservation, and not to exceed $5,000 shall be available for expenditure in said State: *Provided further*, That no part of this appropriation shall be available to conduct elections in any reservation on any matter which has been previously voted upon there unless two years have elapsed.

Personal services.

Provisos. Traveling allowances.

Expenditures in New Mexico.

Conduct of elections.

Vehicles, Indian Service, maintenance.

Vehicles, Indian Service: Not to exceed $495,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall ⊥be available for the maintenance, repair, and operation (including the exchange of necessary parts and accessories in part payment for new parts and accessories) of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed $300,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and such vehicles shall be used only for official service, including the transportation of Indian school pupils. ⊥414

Replacement of property destroyed by fire, etc.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Proviso. Report to Congress.

Attendance at meetings.

Authorization for attending health and educational meetings: Not to exceed $7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

INDIAN LANDS

Pueblo Indian lands, N. Mex. Compensation to non-Indian claimants.

43 Stat. 636.

Compensation to non-Indian claimants, Pueblo Indian lands, New Mexico: For carrying out the provisions of the Act of March 28, 1939 (53 Stat. 553), in supplemental settlement of the liability of the United States to non-Indian claimants on Indian Pueblo grants whose claims, extinguished under the Act of June 7, 1924, have been found entitled to awards under said Act as supplemented by the Act of May 31, 1933 (48 Stat. 108), $9,826.05, to remain available until expended, to be apportioned to claimants within the several Pueblos as follows: Taos, $9,733.05; San Felipe, $93.

Apportionment.

Navajo Indians, Ariz. Purchase of land. 48 Stat. 1033.

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo

Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (48 Stat. 961), is hereby continued available for the same purposes until June 30, 1941.

Purchase of land with tribal funds.

Purchase of land for the Navajo Indians, Arizona (tribal funds): The unexpended balance of the appropriation of $40,000 from funds to the credit of the Navajo tribe, contained in the Interior Department Appropriation Act, fiscal year 1939, for the purchase, in accordance with the provisions of the Act of June 14, 1934 (48 Stat. 961), of lands from the New Mexico and Arizona Land Company within the Navajo Indian Reservation, Arizona, is hereby continued available for the same purpose and under the same conditions until June 30, 1941.

52 Stat. 300.

Leasing of lands for Navajo Indians.

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, $20,000, payable from funds on deposit to the credit of the Navajo Tribe.

Acquisition of lands, etc.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition ⊥(except salaries and expenses of employees), in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 985), $325,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1940: *Provided*, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of the additional land, not exceeding a total of $325,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the Act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created: *Provided further*, That no part of the sum herein appropriated or of this contract authorization shall be used for the acquisition of land within the States of Arizona, Colorado, New Mexico, and Wyoming outside of the boundaries of existing Indian reservations.

⊥415

25 U. S. C., § 465.

53 Stat. 695.

Provisos.
Contracts.

48 Stat. 985.

Restriction on use of funds.

Restricted lands, taxes, etc.

The unexpended balance of the appropriation of $25,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for the payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, as authorized by the Act of June 20, 1936 (49 Stat. 1542), is hereby continued available for the same purposes until June 30, 1941.

50 Stat. 573.

25 U. S. C., Supp. V, § 412a.

Confederated Bands of Utes, Utah.
Purchase of land.

Purchase of land, Confederated Bands of Utes, Utah (tribal funds): The unexpended balances of the amounts authorized to be expended by the Interior Department Appropriation Act for the fiscal year 1940 for the purchase of additional lands and improvements for the Confederated Bands of Ute Indians in Utah, are hereby continued available for the same purposes, and for the purchase of improvements on public-domain lands, until June 30, 1941.

53 Stat. 695.

Cheyenne River Reservation, S. Dak.
Purchase of land.

Purchase of land, Cheyenne River Reservation, South Dakota (tribal funds): The unexpended balances of the appropriations from tribal funds of the Cheyenne River Indians, South Dakota, available during the fiscal year 1940 for the purchase of Indian-owned and privately owned land, and improvements thereon, in the Cheyenne River Reservation, South Dakota, are hereby continued available for the same purposes and under the same conditions, until June 30, 1941.

53 Stat. 695.

Fort Hall Reservation, Idaho.
Purchase of land.

Purchase of land, Fort Hall Reservation, Idaho (tribal funds): The unexpended balance of the appropriation of $40,000 contained in the Second Deficiency Appropriation Act, fiscal year 1938, for the purchase of Indian-owned and privately owned lands or interests therein,

52 Stat. 1130.

and improvements thereon, payable from funds on deposit to the credit of the Fort Hall Indians, is hereby continued available, for the same purposes and under the same conditions, until June 30, 1941.

Round Valley Reservation, Calif.
Purchase of land

Purchase of land for the Indians of the Round Valley Reservation, California (tribal funds): For the purchase of land and improvements thereon for the Indians of the Round Valley Reservation, California, $10,000, payable from funds on deposit to the credit of said Indians: *Provided*, That title to any land and improvements so purchased shall be taken in the name of the United States in trust for the Indians of the Round Valley Reservation.

Proviso.
Title.

Ute Mountain Indians, Colo.
Purchase of land.
52 Stat. 1130.

Purchase of land for Ute Mountain Indians, Colorado (tribal funds): The unexpended balance of the appropriation of $20,000 contained in the Second Deficiency Appropriation Act, fiscal year 1938, for the purchase of land and improvements thereon for the Ute Mountain Band of Indians in Colorado, payable from funds on ⊥deposit to the credit of the Ute Mountain Band, is hereby continued available, for the same purposes and under the same conditions, until June 30, 1941.

⊥416

Fort Peck Reservation, Mont.
Purchase of land.

Purchase of land, Fort Peck Reservation, Montana (tribal funds): For the purchase of Indian-owned and privately owned lands, improvements on lands, or any interest in lands, including water rights, for Indians of the Fort Peck Reservation, Montana, $50,000, payable from any funds on deposit to the credit of the Indians of said reservation: *Provided*, That title to land or improvements so purchased shall be taken in the name of the United States in trust for the Indians of the Fort Peck Reservation: *Provided further*, That no funds shall be expended under this authorization without the consent of the executive board of the tribal council of said Indians: *Provided further*, That so much of this appropriation as may be necessary may be expended to permit said executive board to lease for ten-year periods agricultural and grazing lands from Indians and non-Indians for sublease to Indians and groups of Indians.

Provisos.
Title.

Restriction on use of funds.

Leasing of land.

Spokane Indians, Wash.
Purchase of land.

Purchase of land, Spokane Indians, Washington (tribal funds): For the purchase of Indian-owned and privately owned lands, improvements on lands, or any interest in lands, including water rights for Indians of the Spokane Reservation, Washington, $30,000, payable from any funds on deposit to the credit of the Indians of said reservation: *Provided*, That title to land or improvements so purchased shall be taken in the name of the United States in trust for the Indians of the Spokane Reservation.

Proviso.
Title.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, $398,640: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso.
Restriction on use of funds.

Timber sales, etc., expenses.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $117,000, reimbursable to the United States as provided in the Act of February 14, 1920 (25 U. S. C. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

41 Stat. 415.

Proviso.
Rewards.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $15,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations shall be available upon the approval of the Secretary of the Interior, for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Suppression, etc., of forest fires.
Post, p. 1040.

Provisos.
Additional amount available.

Report to Congress.

⊥For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (25 U. S. C. 336, 371, 397), May 27, 1908 (35 Stat. 312), March 3, 1909 (25 U. S. C. 396), and other Acts authorizing the leasing of such lands for mining purposes, including not to exceed $5,000 for the purchase and exchange (not to exceed $2,000), maintenance, repair, and operation of passenger-carrying vehicles, and not to exceed $11,000 for personal services in the District of Columbia, $100,000.

⊥417
Geological Survey.
Transfer of funds.

26 Stat. 794; 35 Stat. 783.

Vehicles.

For the purpose of obtaining remunerative employment for Indians, $40,220.

Employment.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $670,220, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation.

Development of agriculture and stock raising.

Agricultural experiments, etc.

Navajo Reservation.
Sheep-breeding station.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $150,000, which sum may be advanced to Indians for the purchase of seeds, animals, machinery, tools, implements, and other equipment; for advances to old, disabled, or indigent Indian allottees for their support; and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof: *Provided*, That except for the Navajo Indians in Arizona and New Mexico not to exceed $25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians: *Provided further*, That not to exceed $15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Loans to encourage industry, etc.

Provisos.
Limitation, exception.

Advances to Indian youths for educational purposes.
Reimbursement.

Industrial assistance.
Construction of homes, etc.
Advances to old, etc., Indians.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $22,000, payable from tribal funds as follows: Blackfeet, Montana, $10,000; Hoopa Valley, California, $2,000; Red Lake, Minnesota, $10,000 (from funds held in trust by the United States for said Indians pursuant to the Act of June 15, 1938 (52 Stat. 697), and to be used only for educational loans to Indian youths of the Red Lake Band possessing one-fourth degree or more of Indian blood); and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1940, and the Third Deficiency Act, fiscal year

Reappropriations.
53 Stat. 697, 1314.

1939, are hereby continued available during the fiscal year 1941 for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years ⊥under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1941 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved by the Secretary of the Interior, and revenues derived therefrom shall be covered into the Treasury to the credit of the respective tribes: *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under rules and regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Provisos.
Advances to Indian youths for educational purposes.
Reimbursement.

⊥418
Credits; availability.

Establishment, etc., of tribal enterprises.

Loans from revolving loan fund.

48 Stat. 986.

Additional amount for revolving loan fund.

For an additional amount to be added to the appropriations heretofore made, for the establishment of a revolving fund for the purpose of making and administering loans to Indian chartered corporations in accordance with the Act of June 18, 1934 (48 Stat. 986), and of making and administering loans to individual Indians and to associations or corporate groups of Indians of Oklahoma in accordance with the Act of June 26, 1936 (49 Stat. 1967), $249,600, of which amount not to exceed $22,500 shall be available for personal services in the District of Columbia, and $100,000 shall be available for personal services in the field, for traveling expenses of employees, for purchase of equipment and supplies, and for other necessary expenses of administering such loans, including not more than $3,500 for printing and binding.

25 U. S. C., Supp. V, § 501.

Personal services.

Development of Indian arts and crafts.

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat. 891), including personal services, purchase and transportation of equipment and supplies, purchase of periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, including payment of actual transportation expenses, not to exceed $2,500 for printing and binding, and other necessary expenses, $48,400, of which not to exceed $16,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $7,500 per annum.

25 U. S. C., Supp. V, § 305.

Vehicles.

Printing and binding.

Proviso.
Salary limitation.

Suppressing contagious livestock diseases.

50 Stat. 221.

Suppressing contagious diseases among livestock of Indians: The unexpended balance of the appropriation of $7,500 contained in the Second Deficiency Appropriation Act, fiscal year 1937, for reimbursing Indians of the Mescalero Reservation, New Mexico, for stock destroyed on account of being infected with Malta fever, and for expenses in connection with the eradication and prevention of this disease, is hereby made available for the same purposes for the fiscal year 1941.

DEVELOPMENT OF WATER SUPPLY

Development, etc., of water facilities.

For the development, rehabilitation, repair, maintenance, and operation of domestic and stock water facilities on the Navajo Reservation in Arizona, New Mexico, and Utah, the Hopi Reservation in Arizona,

the Papago Reservation in Arizona, and the several Pueblos in New Mexico, including the purchase and installation of pumping and other equipment, $100,000.

IRRIGATION AND DRAINAGE

Construction, maintenance, etc., of designated projects.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Limitation.

Miscellaneous projects, $16,500; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Ganado, $1,000 together with $1,500 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Navajo, miscellaneous projects, Arizona and New Mexico, $12,000; Hopi, miscellaneous projects, $1,500; San Xavier, $2,000; California: Coachella Valley, $1,000; Morongo, $4,000; Pala and Rincon, $3,500, together with $500, from which expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Colorado: Southern Ute, $13,000, together with $3,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the said Repeal Act; Montana: Tongue River, $4,000; Nevada: Pyramid Lake, $3,000; Walker River, $6,000; Western Shoshone, $10,000; New Mexico: Miscellaneous Pueblos, $27,500; Oregon: Warm Springs, $3,000; Washington: Colville, $5,000, together with $1,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Lummi diking project, $500, together with $2,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act.

48 Stat. 1227.
31 U. S. C. § 725c.

Miscellaneous expenses.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $70,980;

Total, reimbursement.

In all, for irrigation on Indian reservations, not to exceed $200,480, reimbursable: *Provided*, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Provisos.
Amounts interchangeable, limitation.

Apportionment of costs; collection.

Unpaid charges a first lien.

San Carlos project, Ariz.
Maintenance, etc.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $65,000, reimbursable, together with $140,000 (operation and maintenance collections), and $220,000 (power revenues), of which latter sum not to exceed $24,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts, of $140,000 and $220,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance

Emergencies.

48 Stat. 1227.
31 U. S. C. § 725c.

with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $425,000.

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Pima Indians, Ariz.
Subjugation and cropping operations on lands of.

⊥For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed $200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Colorado River Indian Reservation, Ariz.
Maintenance, etc., of system.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat. 273), $19,000, reimbursable, together with $19,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

San Carlos Reservation, Ariz.
Operation, etc., of pumping plants.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, $5,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited under such rules and regulations as the Secretary of the Interior may prescribe.

Proviso.
Reimbursement.

Yuma Reservation, Calif.

Yuma homestead entries, Ariz.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $11,350, reimbursable.

Fort Hall systems, Idaho.
Maintenance, etc.

For improvements, maintenance, and operation of the Fort Hall irrigation systems, Idaho, $28,000, together with $25,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Belknap Reservation, Mont.
Maintenance, etc., of systems.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $14,800, reimbursable, together with $4,200 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project, Mont.
Maintenance, etc.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, $19,000, reimbursable, together with $3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Blackfeet Indian Reservation, Mont.
Maintenance, etc., of systems.

For the improvement, maintenance, and operation of the irrigation systems on the Blackfeet Indian Reservation in Montana, $10,000, reimbursable, together with $11,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Flathead Reservation, Mont.
Maintenance, etc., of systems.

For operation and maintenance of the irrigation and power systems on the Flathead Reservation, Montana, $7,000, reimbursable, together with $120,000 (operation and maintenance collections) and $80,000 (power revenues), from which amounts of $120,000 and $80,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $207,000.

48 Stat. 1227.
31 U. S. C. § 725c.

Crow Reservation, Mont.
Maintenance, etc., of systems.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association

⊥and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $5,000, reimbursable, together with $35,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934. 1421

48 Stat. 1227.
31 U. S. C. § 725c.

For payment to the Tongue River Water Users' Association, Montana, or the State Water Conservation Board of Montana, in accordance with the provisions of the Act approved August 11, 1939 (53 Stat. 1411), $19,500, reimbursable as provided in said Act.

Tongue River Water Users' Association, Mont., etc.
Payment to.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, $5,519, to be immediately available; in all, $10,900.

Newlands project, Nev., payment.

Operation of drains to Truckee-Carson district; payment.

For operation and maintenance of the Hogback irrigation project on the Navajo Reservation in New Mexico, $13,000, reimbursable, together with $5,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Navajo Reservation, N. Mex.
Operation of Hogback project.

For maintenance and operation of the Fruitlands irrigation project, Navajo Reservation, New Mexico, $13,000, reimbursable, together with $3,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fruitlands project, Navajo Reservation, N. Mex.
Maintenance, etc.

For operation and maintenance assessments on Indian lands, and the buildings and grounds of the Albuquerque Indian School, within the Middle Rio Grande Conservancy District, New Mexico, $9,320, of which amount $8,530 shall be reimbursed in accordance with existing law.

Albuquerque Indian School, N. Mex.
Maintenance, etc., assessments.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, Oregon, $3,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek and Modoc Point units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Klamath Reservation, Oreg.
Maintenance, etc., of projects.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat. 375), $20,000, reimbursable, together with $38,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Uncompahgre, etc., Utes in Utah.
Irrigation of allotted lands.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $150,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Yakima Indian Reservation, Wash.
Maintenance, etc., of Wapato system.

48 Stat. 1227.
31 U. S. C. § 725c.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat. 604), $11,000.

Reimbursement to fund for reservoir maintenance, etc.

⊥For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district and the 1422

Wind River Reservation, Wyo.
Maintenance, etc., of systems.

Big Bend drainage district on the ceded reservation, $25,000, reimbursable, together with $25,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Construction, repair, etc., of designated projects.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Arizona.

Arizona: Colorado River, as authorized by and in accordance with section 2 of the River and Harbor Act, approved August 30, 1935 (49 Stat. 1039, 1040), including the purchase of electrical energy and the distribution and sale thereof, $1,150,000; Navajo, Arizona, and New Mexico, $50,000; San Carlos, $90,000; Salt River, $50,000; San Xavier, $10,000;

California.

California: Mission, $15,000; Sacramento, $10,000; Owens Valley (Carson Agency, Nevada), $10,000;

Colorado.

Colorado: Southern Ute, $10,000;

Montana.

Montana: Crow, $400,000; Flathead, $250,000; Fort Belknap, $12,000; Blackfeet, $50,000; Fort Peck, $50,000;

Nevada.

Nevada: Western Shoshone, $25,000; Walker River, $17,000; Pyramid Lake, $50,000;

New Mexico.

New Mexico: Pueblo, $25,000;

Washington.

Washington: Wapato, including surveys of the Klickitat unit, $100,000;

Wyoming.

Wyoming: Wind River, $41,000;

Garden tracts.

Miscellaneous garden tracts, $45,000;

Surveys, investigations, etc.
Printing and binding.

For surveys, investigations, and administrative expenses, including personal services in the District of Columbia and elsewhere, and not to exceed $3,000 for printing and binding, $112,300;

Total; availability.

In all, $2,572,300, to be reimbursable in accordance with law, and to be immediately available, which amount, together with the unexpended balances of funds made available under this head in the Interior Department Appropriation Act, fiscal year 1940, shall remain available until June 30, 1941: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Secretary of the Interior, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 per centum.

53 Stat. 703.

Proviso.
Interchange of amounts.

EDUCATION

Support of Indian schools, etc.

For the support of Indian schools not otherwise provided for and for other Indian educational purposes, including apprentice teachers for reservation and nonreservation schools, educational facilities authorized by treaty provisions, care of Indian children of school age attending public and private schools, and tuition and other assistance for Indian pupils attending public schools, $6,015,000: *Provided*, That not to exceed $20,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian chil-⊥dren: *Provided further*, That $60,000 of this appropriation shall be available for subsistence of pupils in reservation and nonreservation boarding schools during summer months: *Provided further*, That not more than $15,000 of the amount herein appropriated may be expended for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That formal

Provisos.
Deaf and dumb or blind, etc., Indian children.

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Subsistence of pupils during summer months.
Vocational, etc., courses, tuition.

Formal contracts not required.

contracts shall not be required, for compliance with section 3744 of the Revised Statutes (41 U.S.C. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public and private schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient: *Provided further*, That not to exceed $10,000 of this appropriation may be used for printing and binding (including illustrations) in authorized Indian-school printing plants: *Provided further*, That no part of any appropriation in this Act for the Bureau of Indian Affairs shall be available for expenses of travel for the study of educational systems or practices outside the continental limits of the United States and the Territory of Alaska.

Printing and binding.

Travel expenses, restriction on use of funds.

Support of Indian schools from tribal funds: For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than $297,750, including not to exceed $58,750 for payment of tuition for Chippewa Indian children enrolled in public schools and care of children of school age attending private schools in the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat. 645): *Provided*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (41 U. S. C. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public schools, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Support of Indian schools from tribal funds.

44 Stat. 560.

Chippewa Indian children attending schools in Minnesota.
Payment of tuition, etc.

Proviso.
Formal contracts not required.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $2,000, payable from funds held in trust by the United States for the Osage Tribe.

Education, Osage Nation, Okla.

For reimbursable loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, including colleges and universities offering recognized vocational, trade, and professional courses, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), and for apprentice training in manufacturing and other commercial establishments, $100,000: *Provided*, That not more than $50,000 of the amount available for the fiscal year 1941 shall be available for loans to Indian students pursuing liberal-arts courses in high schools and colleges: *Provided further*, That advances made under this authorization shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Loans for tuition and expenses in vocational, etc., schools.

25 U. S. C. § 471.

Provisos.
Liberal arts courses.

Reimbursement of advances.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands for school purposes and the installation, repair, and improvement of heating, lighting, power, sewer, and water systems in connec-⊥tion therewith, and including not to exceed $15,000 for the purchase of materials for the use of Indian pupils in the construction of buildings (not to exceed $1,500 for any one building) at Indian schools not otherwise provided for, $370,000: *Provided*, That the foregoing appropriation, and appropriations in this Act for repairs and improvements at nonreservation boarding schools, shall be available to provide sponsor's contributions to projects for the construction, repair, or improvement of Indian school buildings approved by and carried on under funds of the Work Projects Administration or the National Youth Administration.

Lease, repair, etc., of buildings at Indian schools.

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Proviso.
Availability of funds for sponsor's contributions to certain projects.

Nonreservation boarding schools.
Support, etc., of Indian pupils.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Ariz.

Phoenix, Arizona: For five hundred pupils, including not to exceed $2,500 for printing and issuing school paper, and not to exceed $6,000 for the purchase of printing equipment, $162,500; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,000; in all, $187,500;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, and not to exceed $6,000 for the purchase of printing equipment, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $23,500; in all, $244,500;

Haskell Institute, Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For six hundred and twenty-five pupils, including not to exceed $2,500 for printing and issuing school paper, $212,500; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $25,000; in all, $237,500;

Pipestone, Minn.

Pipestone, Minnesota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $112,750;

Carson City, Nev.

Carson City, Nevada: For five hundred and twenty-five pupils, $168,500; for pay of principal, drayage, and general repairs and improvements, $20,000; in all, $188,500;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For six hundred pupils, $204,000; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,000; in all, $229,000;

Santa Fe, N. Mex.

Santa Fe, New Mexico: For three hundred and eighty pupils, $134,900; for drayage, and general repairs and improvements, $15,000; in all, $149,900;

Wahpeton, N. Dak.

Wahpeton, North Dakota: For three hundred pupils, $97,250; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $110,250;

Chilocco, Okla.

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $25,000; in all, $246,000;

Sequoyah Orphan Training School, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, $114,250; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $129,250;

Carter Seminary, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $57,525; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $64,525;

Euchee, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $40,525; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $47,525;

42 Stat. 1425.
Eufaula, Okla.

⊥Eufaula, Oklahoma: For one hundred and forty pupils, $48,650; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $55,650;

Jones Academy, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $61,125; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $68,125;

Wheelock Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $45,050; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $52,050;

Chemawa, Oreg.

Chemawa, Oregon: For four hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $152,250; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $172,250;

Flandreau, South Dakota: For four hundred and fifty pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $19,000; in all, $178,750; Flandreau, S. Dak.

Pierre, South Dakota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $112,750; Pierre, S. Dak.

In all, for above-named nonreservation boarding schools, not to exceed $2,586,775: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget. Total. *Proviso.* Interchange of amounts. Report to Congress.

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools and for the repair of special Indian day schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $395,000, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That not to exceed $21,500 may be expended for the payment of salaries of public-school teachers, employed by the State, county, or district in special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance. Tuition for Indian pupils attending designated schools, etc. *Proviso.* Salaries of certain public-school teachers.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, $940,595, to be immediately available and to remain available until June 30, 1942: *Provided*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution. Natives in Alaska. Support, relief, etc. *Proviso.* Report to Congress.

CONSERVATION OF HEALTH

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees [1]and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $25,000 for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $5,235,720, including not to exceed $3,836,840 for the following-named hospitals and sanatoria: Designated expenses. [1]426. Clinical surveys and general medical research. Allotments to specified hospitals and sanatoria.

Arizona: Indian Oasis Hospital, $27,260; Kayenta Sanatorium, $52,000; Navajo Medical Center, $287,450; Phoenix Sanatorium, $110,040; Pima Hospital, $27,600; Truxton Canyon Hospital, $14,000; Western Navajo Hospital, $35,700; Chin Lee Hospital, $16,620; Fort Apache Arizona.

Hospital, $29,700; Hopi Hospital, $40,000; Leupp Hospital, $27,800; San Carlos Hospital, $32,300; Tohatchi Hospital, $17,200; Colorado River Hospital, $22,000; San Xavier Sanatorium, $45,000; Phoenix Hospital, $47,090; Winslow Sanatorium, $63,865;

California. California: Hoopa Valley Hospital, $28,000; Soboba Hospital, $25,620; Fort Yuma Hospital, $22,000;

Colorado. Colorado: Ute Mountain Hospital, $15,000; Edward T. Taylor Hospital, $25,000;

Idaho. Idaho: Fort Lapwai Sanatorium, $94,730; Fort Hall Hospitals, $14,000;

Iowa. Iowa: Sac and Fox Sanatorium, $79,150;

Minnesota. Minnesota: Pipestone Hospital, $22,500; Cass Lake Hospital, $30,000; Fond du Lac Hospital, $25,000; Red Lake Hospital, $25,500; White Earth Hospital, $22,000;

Mississippi. Mississippi: Choctaw Hospital, $25,000;

Montana. Montana: Blackfeet Hospital, $45,000; Fort Peck Hospital, $26,400; Crow Hospital, $32,000; Fort Belknap Hospital, $32,500; Tongue River Hospital, $30,000;

Nebraska. Nebraska: Winnebago Hospital, $47,000;

Nevada. Nevada: Carson Hospital, $27,000; Walker River Hospital, $25,000; Western Shoshone Hospital, $20,000;

New Mexico. New Mexico: Albuquerque Sanatorium, $111,915; Jicarilla Hospital and Sanatorium, $68,290; Mescalero Hospital, $23,000; Eastern Navajo Hospital, $60,000; Northern Navajo Hospital, $47,885; Taos Hospital, $20,000; Zuni Hospital, $35,000; Albuquerque Hospital, $51,500; Charles H. Burke Hospital, $30,000; Santa Fe Hospital, $44,000; Toadlena Hospital, $13,000;

North Carolina. North Carolina: Cherokee Hospital, $25,000;

North Dakota. North Dakota: Turtle Mountain Hospital, $41,600; Fort Berthold Hospital, $18,000; Fort Totten Hospital, $23,000; Standing Rock Hospital, $41,000;

Oklahoma. Oklahoma: Cheyenne and Arapaho Hospital, $36,000; Talihina Sanatorium and Hospital, $201,790; Shawnee Sanatorium, $112,940; Claremore Hospital, $83,020; Clinton Hospital, $22,000; Pawnee and Ponca Hospital, $38,000; Kiowa Hospital, $139,000; William W. Hastings Hospital, $76,715;

Oregon. Oregon: Warm Springs Hospital, $20,000;

South Dakota. South Dakota: Crow Creek Hospital, $22,000; Pine Ridge Hospitals, $57,775; Rosebud Hospital, $45,000; Yankton Hospital, $23,000; Cheyenne River Hospital, $35,000; Sioux Sanatorium, $149,960; Sisseton Hospital, $33,000;

Utah. Utah: Uintah Hospital, $30,000;

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Washington. ⊥Washington: Yakima Sanatorium, $40,000; Tacoma Sanatorium, $233,985; Tulalip Hospital, $12,600; Colville Hospital, $35,000;

Wisconsin. Wisconsin: Hayward Hospital, $40,600; Tomah Hospital, $32,620;

Wyoming. Wyoming: Wind River Hospital, $29,620:

Provisos. Interchange of amounts. *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget: *Provided further*, That nonreservation boarding schools, receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation: *Provided further*, That in the discretion of the Secretary of the Interior and under such rules and regulations as may be prescribed by him, fees may be collected from Indians for medical, hospital, and dental service and any fees so collected shall be covered into the Treasury of the United States.

Report to Congress.

Hospitalization of pupils, basis of contribution.

Fees for medical, etc., services.

Medical relief in Alaska. Medical relief in Alaska: To enable the Secretary of the Interior, in

his discretion and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $492,490, to be available immediately and to remain available until June 30, 1942.

Hospital buildings, etc.

GENERAL SUPPORT AND ADMINISTRATION

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $2,884,520: *Provided,* That in the discretion of the Secretary of the Interior, and under such rules and regulations as may be prescribed by him, fees may be collected from individual Indians for services performed for them, and any fees so collected shall be covered into the Treasury of the United States.

General support and administration.

Proviso. Collection of fees for services; disposition.

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, including $3,000 for the purchase and distribution of reindeer, $75,000, to be immediately available, and to remain available until June 30, 1942.

Alaska. Reindeer service.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Support of Indians, etc., under specified agencies.

Arizona: Fort Apache, $66,000; Navajo, $12,500, including all necessary expenses of holding a tribal fair, erection of structures, awards for exhibits and events, feeding of livestock, and labor and materials; Pima (Camp McDowell), $300; San Carlos, $60,000; Truxton Cañon, $12,000; in all, $150,800;

Arizona.

California: Mission, $39,900, of which amount $4,000 shall be available for payment of the salary and expenses of an agent employed under a contract approved by the Secretary of the Interior;

California.

⊥Colorado: Consolidated Ute, $60,000 (Southern Ute, $57,000, Ute Mountain, $3,000), together with the unexpended balance of the appropriations under this head for the fiscal year 1940, including the purchase of land, the subjugation thereof, and the construction of improvements thereon;

⊥ 428 Colorado.

53 Stat. 708, 1315.

Florida: Seminole, $2,000, including the purchase of cattle for the establishment of a tribal herd;

Florida.

Iowa: Sac and Fox, $1,500;

Iowa.

Montana: Flathead, $24,000;

Montana.

Nevada: Western Shoshone, $3,000;

Nevada.

New Mexico: United Pueblos (Zuni Indians), $4,086;

New Mexico.

North Carolina: Cherokee, $8,000;

North Carolina.

Oklahoma, Seminole: The unexpended balance of the appropriation of $7,787 from tribal funds of the Seminole Indians, Oklahoma, contained in the Interior Department Appropriation Act, fiscal year 1940, for reconstruction of a community house is hereby continued available for the same purposes until June 30, 1941;

Oklahoma.

53 Stat. 708.

Oregon: Klamath, $125,760, of which not to exceed $4,500 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary of the Interior in accordance with existing law, and not to exceed $30,000 shall be available for the construction and equipment of a nurses' home and a nurse's dwelling;

Oregon. Attorney fees.

South Dakota: Sisseton, $7,000, including the construction of an

South Dakota.

agricultural building and the purchase of land, title to such lands to be taken in the name of the United States in trust for the Sisseton and Wahpeton Indians;

Utah.

Utah: Uintah and Ouray, $10,000, of which amount not to exceed $3,000 shall be available for the payment of an agent employed under a contract approved by the Secretary of the Interior;

Washington.

Washington: Puyallup, $1,300 for upkeep of the Puyallup Indian cemetery; Taholah, $11,500 (Makah, $9,500; Quinaielt, $2,000); Yakima, $680; Tulalip, $1,000; Swinomish, $500; in all, $14,980;

Wisconsin.

Wisconsin: Keshena, $78,100, including $20,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends, and $5,200 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary of the Interior in accordance with existing law: *Provided*, That not to exceed $6,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee Advisory Council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs;

Old, etc., members of Menominee Tribe.

Proviso.
Salaries and expenses of certain officers, etc.

In all, not to exceed $529,126.

Relief of Chippewa Indians in Minnesota.

Relief of Chippewa Indians in Minnesota (tribal funds): Not to exceed $40,000 of the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat. 645), may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians including boarding-home care of pupils attending public or high schools.

Relief of needy Indians.

Relief of needy Indians: For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $100,000, payable from ⊥funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, United States Revised Statutes, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

⊥429

Proviso.
Expenditures.
41 U. S. C. § 5.
18 U. S. C. § 744a.

Five Civilized Tribes, Okla.
Expenses of tribal officers.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries of $3,000 each for the said governor, said chief, and said mining trustee, chief of the Creek Nation at $600 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Proviso.
Limitation on expenses.

Osage Agency, Okla.
Agency, etc., expenses.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employ-

ees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, $184,080, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That not more than $1,800 may be used for the employment of a curator for the Osage Museum, which employee shall be an Osage Indian and shall be appointed without regard to civil-service laws and regulations upon the recommendation of the Osage tribal council: *Provided further*, That this appropriation shall be available, for traveling and other expenses, including not to exceed $5 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, of members of the tribal council and other members of the tribe, when engaged on tribal business, including visits to the District of Columbia when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Provisos.
Employment of curator for Museum.

Travel, etc.

The unexpended balance of the appropriation of Choctaw Tribal funds contained in the Interior Department Appropriation Act, fiscal year 1940, for the relief of needy Choctaw Indians shall continue available until expended, and any revenue derived from the rehabilitation projects operated thereunder shall be available for such purposes as may be recommended by the chief of the Choctaw Nation, and approved by the superintendent of the Five Civilized Tribes Agency.

Relief of needy Choctaw Indians.
Reappropriation.
53 Stat. 710.

Expenses of tribal councils, etc.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $5 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, and including not more than $25,000 for visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $50,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than $5,000 shall be expended from the funds of any [one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in Washington, for more than a thirty-day period, unless the Secretary of the Interior shall in writing approve a longer period.

Provisos.
Limitation on expenditures.
[430

Restriction on use of funds, exception.

Makah Reservation, Wash.
Expenses of attorneys.

Expenses of attorneys, Makah Reservation, Washington (tribal funds): Not to exceed $1,700 of the funds on deposit to the credit of the Makah Indians, Washington, is hereby made available for the fiscal years 1940 and 1941 for payment of the compensation and expenses of an attorney employed by the Makah Tribe under a contract executed October 4, 1939, and approved by the Secretary of the Interior in accordance with law.

ROADS AND BRIDGES

Gallup-Shiprock Highway, N. Mex.

Proviso.
Indian labor.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Reservation roads, construction, etc.

45 Stat. 750.
25 U. S. C., Supp. V, § 318b.
Proviso.
Personal services.

Structures for housing, road materials, etc.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (25 U. S. C. 318a), June 16, 1936 (49 Stat. 1521), and June 8, 1938 (52 Stat. 633–636), $2,000,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed $11,200 of the foregoing amount may be expended for personal services in the District of Columbia: *Provided further*, That not to exceed $100,000 of this appropriation shall be available for purchase, lease, construction,

or repair of structures for housing road materials, supplies, and equipment, and for quarters for road crews but the cost of any structure erected hereunder shall not exceed $7,500.

CONSTRUCTION AND REPAIR

School, agency, hospital, etc., buildings and utilities.

For the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way when necessary, and including the purchase of furniture, furnishings, and equipment, as follows:

Alaska.

Alaska: Day-school facilities and quarters, $20,000;

Carson, Nev.

Carson, Nevada: Quarters, $26,000;

Cheyenne and Arapahoe, Okla.

Cheyenne and Arapahoe, Oklahoma: Improvements to utilities, $35,000;

Cheyenne River, S. Dak.

Cheyenne River, South Dakota: Quarters, $15,000;

Choctaw, Miss.

Choctaw, Mississippi: General repairs and improvements, $19,000;

Colorado River, Ariz.

Colorado River, Arizona: General repairs and improvements, $14,000;

Colville, Wash.

Colville, Washington: General repairs and improvements, $10,000;

Consolidated Ute, Colo.

Consolidated Ute, Colorado: Improvements to utilities, $5,500; quarters, $19,000;

Crow, Mont.

Crow, Montana: General repairs and improvements, $6,000;

Crow Creek, S. Dak.

Crow Creek, South Dakota: Quarters, $35,000;

Five Civilized Tribes, Okla.

Five Civilized Tribes, Oklahoma: Improvements to water system, Jones Academy, $31,500; improvements to water system, Talihina Sanatorium, $27,500;

Flathead, Mont.

Flathead, Montana: Quarters, $5,000;

Fort Belknap, Mont.

Fort Belknap, Montana: General repairs and improvements, $15,000; quarters, $7,500;

Fort Berthold, N. Dak.

Fort Berthold, North Dakota: Quarters, $5,000;

Fort Totten, N. Dak.

⊥431

⊥Fort Totten, North Dakota: Quarters, $7,500; shop building and garage, $10,000;

Haskell, Kans.

Haskell, Kansas: Improvements to utilities, $10,000;

Hopi, Ariz.

Hopi, Arizona: School facilities, $125,000;

Kiowa, Okla.

Kiowa, Oklahoma: Nurse aides' dormitory facilities, $40,000; Fort Sill, quarters, $7,500; dairy barn, $15,000; shop building, $20,000;

Mission, Calif.

Mission, California: Quarters, $7,000;

Navajo, Ariz.

Navajo, Arizona: Quarters, $11,500;

Northern Idaho, Idaho.

Northern Idaho, Idaho: Quarters, $10,000;

Pipestone, Minn.

Pipestone, Minnesota: Improvements to utility system, $22,500;

Red Lake, Minn.

Red Lake, Minnesota: Quarters, $5,000;

Rocky Boy, Mont.

Rocky Boy, Montana: Improvements to utilities, $15,000;

Shawnee Sanatorium, Okla.

Shawnee Sanatorium, Oklahoma: Building for semiambulant women patients, $25,000, together with the unexpended balance of the appropriation for the fiscal year 1940 for remodeling women's semiambulant building;

53 Stat. 712

Sherman, Calif.

Sherman, California: Improvements to utilities, $25,000;

Standing Rock, N. Dak.

Standing Rock, North Dakota: Quarters, $7,500;

Tacoma, Wash. Sanatorium, etc.; contracts.

Tacoma, Washington: Sanatorium and general hospital plant, $400,000, and in addition thereto the Secretary of the Interior may incur obligations and enter into a contract or contracts not exceeding the total amount of $895,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for continuing construction of the project shall be available for the purpose of discharging the obligation or obligations so created: *Provided*, That not to exceed $228,525 may be used to acquire from the Puyallup Tribe of Indians the land and improvements now constituting the Tacoma Indian Sanatorium as authorized by the Act of August 11, 1939 (53 Stat. 1405);

Proviso. Acquisition of land, etc., from Puyallup Tribe.

Tongue River, Montana: Quarters, $5,000;
Uintah and Ouray, Utah: Quarters, $10,000;
Umatilla, Oregon: General repairs and improvements, $3,500;
Western Shoshone, Nevada: Quarters, $35,000;

Tongue River, Mont.
Uintah and Ouray Utah.
Umatilla, Oreg.
Western Shoshone, Nev.

For administrative expenses, including personal services in the District of Columbia and elsewhere; not to exceed $2,500 for printing and binding; purchase of periodicals, directories, and books of reference; purchase and operation of motor-propelled passenger-carrying vehicles; traveling expenses of employees; rent of office and storage space; telegraph and telephone tolls; and all other necessary expenses not specifically authorized herein, $110,000; in all, $1,223,000, to be immediately available and to remain available until completion of the projects when the unobligated balances shall revert to the general fund of the Treasury: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer: *Provided further*, That the unexpended balances of appropriations made available under this head in the Interior Department Appropriation Acts, fiscal years 1939 and 1940, the Urgent Deficiency and Supplemental Appropriation Act, fiscal years 1939 and 1940, and the Third Deficiency Appropriation Act, fiscal year 1939, shall continue available until completion of the projects when the unobligated balances shall revert to the general fund of the Treasury: *Provided further*, That the appropriation contained in the Interior Department Appropriation Act, fiscal year 1939, for the construction of a central heating plant, and rehabilitation of distribution lines at Chilocco, Oklahoma, shall be available also for the construction of a print shop.

Administrative expenses.

Provisos.
Transfers of amounts, limitation.

Reappropriation.

52 Stat. 317; 53 Stat. 712, 986, 1316.

Print shop, Chilocco, Okla.

52 Stat. 316.

ANNUITIES AND PER CAPITA PAYMENTS

1432

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Senecas, N.Y.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Six Nations, N.Y.
7 Stat. 46.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Choctaws, Okla.
7 Stat. 99.
11 Stat. 611.
7 Stat. 213.
7 Stat. 212, 236.
7 Stat. 235.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Pawnees, Okla.
11 Stat. 729, 27 Stat. 644.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $225,000.

Indians of Sioux reservations, benefits.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $775,000.

Interest on trust funds, payment.

Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including nonreservation boarding schools and for conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, ga-

Availability of funds for purchase of supplies, etc.

rages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Indian Service.

Travel expenses, etc.

Appropriations made for the Indian Service for the fiscal year 1941 shall be available for travel expenses of employees on official business; for travel expenses and the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station with or without a change in official position; for the purchase of ice, and for the purchase of rubber boots for official use of employees.

Traveling expenses of new appointees.

The appropriations available for expenditure for the benefit of the natives of Alaska may be used for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

* * *

⊥GEOLOGICAL SURVEY

⊥439

* * *

⊥440

Mineral leasing. 38 Stat. 742; 40 Stat. 297; 41 Stat. 437, 1363.

⊥Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 (48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $315,000, of which amount not to exceed $65,000 may be expended for personal services in the District of Columbia:

Supplies, etc.

* * *

⊥445

⊥NATIONAL PARK SERVICE

* * *

⊥450

Roads and trails.

⊥Roads and Trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including the Boulder Dam National Recreational Area, and other areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (16 U. S. C. 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, $2,125,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed $60,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1941: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of $3,000,000 and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and appropriations hereafter made for the construction, reconstruction, and improvement of roads and trails shall be considered available for the purpose of discharging the obligation so created: *Provided further*, That no part of this appropriation or contract authorization shall be available for road construction in the

46 Stat. 1053.

Provisos. Personal services.

Additional for approval of projects, etc., total.

Kings Canyon National Park, California, except on the floor of the canyon of the south fork of the Kings River.

Kings Canyon National Park, Calif.

* * *

⊥BUREAU OF FISHERIES

⊥454

* * *

⊥Construction of fish screens: For construction, operation, and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and supervision of construction of such screens and ladders; and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission in accordance with the provisions of the Federal Water Power Act (16 U. S. C. 791), $11,500, of which not to exceed $6,400 may be expended for the pay of permanent employees.

⊥455

Construction of fish screens.

41 Stat. 1063. 16 U. S. C. §§ 791-823. Supp. V, §§ 791-823.

* * *

⊥SAINT ELIZABETHS HOSPITAL

⊥459

For support, clothing, and treatment in Saint Elizabeths Hospital for the Insane of insane persons from the Army, Navy, Marine Corps, and Coast Guard, insane inmates of the National Home for Disabled Volunteer Soldiers, persons charged with or convicted of crimes against the United States who are insane, all persons who have become insane since their entry into the military and naval⊥services of the United States, insane civilians in the quartermaster service of the Army, insane persons transferred from the Canal Zone who have been admitted to the hospital and who are indigent, American citizens legally adjudged insane in the Dominion of Canada whose legal residence in one of the States, Territories, or the District of Columbia it has been impossible to establish, insane beneficiaries of the United States Employees' Compensation Commission, insane beneficiaries of the United States Veterans' Administration, and insane Indian beneficiaries of the Bureau of Indian Affairs, . . .

Maintenance, etc.

⊥460

Insane U. S. citizens in Canada.

Vehicles

* * *

Approved, June 18, 1940.

[CHAPTER 396]

June 18, 1940
[H. R. 8913]
[Public, No. 641]
54 Stat. 462

AN ACT

Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1941, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch of the Government for the fiscal year ending June 30, 1941, namely:

Legislative Branch Appropriation Act, 1941.

SENATE

* * *

⊥COMMITTEE EMPLOYEES

⊥463

* * *

. . . Indian Affairs—clerk, $3,900; assistant clerk, $3,600, and $1,400 additional so long as the position is held by the present incumbent; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. . . .

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⊥HOUSE OF REPRESENTATIVES

⊥466

* * *

54 Stat. 467

COMMITTEE EMPLOYEES

* * *

. . . Indian Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. . . .

* * *

Approved, June 18, 1940.

[CHAPTER 412]

AN ACT

June 24, 1940
[S. 2983]
[Public, No. 650]
54 Stat. 504

To authorize the sale of lumber and other forest products obtained from the forests on Indian reservations by Indian enterprises.

Indian reservations
Sale of lumber, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lumber and other forest products produced by Indian enterprises from the forests on Indian reservations may be sold under such regulations as the Secretary of the Interior may prescribe, without compliance with section 3709 of the Revised Statutes.

41 U. S. C. § 5.

Approved, June 24, 1940.

June 24, 1940
[S. 2984]
[Public, No. 651]
54 Stat. 504

[CHAPTER 413]

AN ACT

Authorizing the transfer of title of the Hayward Indian School to the State of Wisconsin.

Hayward Indian School, Hayward, Wis.
Transfer of title to State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to transfer to the State of Wisconsin, upon such terms and in such manner as may be mutually agreed upon, for institutional or other public use, title to all or any part of the property known and designated as the Hayward Indian School, located at Hayward, Wisconsin.

Approved, June 24, 1940.

June 24, 1940
[H. R. 8668]
[Public, No. 653]
54 Stat. 505

[CHAPTER 415]

AN ACT

Making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes.

War Department Civil Appropriation Act, 1941.
Post, p. 971.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes, namely:

QUARTERMASTER CORPS

CEMETERIAL EXPENSES

Maintenance, etc., of national cemeteries.
Post, pp. 601, 971.

Arlington National Cemetery.

Portion of Congressional Cemetery.

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of land; purchase of tools and materials; purchase and exchange of two passenger-carrying motor vehicles; repair, maintenance, and operation of passenger-carrying motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including Confederate graves, and including the burial site of Pushmataha, a Choctaw Indian chief; . . .

* * *

Approved, June 24, 1940.

[CHAPTER 421]

AN ACT

Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes.

June 25, 1940
[H. R. 8202]
[Public, No. 658]
54 Stat. 532

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture for the fiscal year ending June 30, 1941, namely:

Department of Agriculture Appropriation Act, 1941

* * *

⊥BUREAU OF ANIMAL INDUSTRY

⊥539

SALARIES AND EXPENSES

* * *

⊥Eradicating cattle ticks: For the eradication of southern cattle ticks, $325,000: *Provided*, That, except upon the written order of the Secretary of Agriculture, no part of this appropriation shall be used for the purchase of animals or in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry: *Provided further*, That not to exceed $5,000 of the amount herein made available may be used to purchase and supply beef to the Seminole Indians of the Big Cypress Swamp area, Hendry County, Florida, during the time that deer infested with cattle ticks are being removed from said area and until such area is restocked with deer.

⊥541
Cattle ticks.

Provisos.
Purchase of animals.
Purchase of materials for dipping vats.

Purchase of beef for Seminole Indians, Fla.

* * *

Approved, June 25, 1940.

[CHAPTER 432]

JOINT RESOLUTION

Making appropriations for work relief and relief, for the fiscal year ending June 30, 1941.

June 26, 1940
[H. J. Res. 544]
[Pub. Res., No. 88]
54 Stat. 611

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "Emergency Relief Appropriation Act, fiscal year 1941".

Emergency Relief Appropriation Act, fiscal year 1941

* * *

⊥INDIAN SERVICE

⊥617

SEC. 4. (a) In order to continue to provide relief and rural rehabilitation for needy Indians in the United States, there is hereby appropriated to the Bureau of Indian Affairs, Department of the Interior, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, $1,700,000.

Continuation of relief and rural rehabilitation

(b) The funds provided in this section shall be available for (1) administration, not to exceed $80,000; (2) loans; (3) relief; (4) the prosecution of projects approved by the President for the Farm Security Administration for the benefit of Indians under the provisions of the Emergency Relief Appropriation Act of 1938; and (5) subject to the approval of the President for projects involving rural rehabilitation of needy Indians.

Availability of funds

52 Stat. 809.
15 U. S. C., Supp. V, ch. 16 (note)

* * *

1620
1 Preference in employment

1SEC. 15. (a) In employing or retaining in employment on Work Projects Administration work projects, preference shall be determined, as far as practicable, on the basis of relative needs and shall, where the relative needs are found to be the same, be given in the following order: (1) Veterans of the World War and the Spanish-American War and veterans of any campaign or expedition in which the United States has been engaged (as determined on the basis of the laws administered by the Veterans' Administration except that discharged draft enrollees other than those with service-connected disability shall not be considered as veterans for the purposes of this subsection) and unmarried widows of such veterans and the wives of such veterans as are unemployable who are in need and are American citizens; and (2) other American citizens, Indians, and other persons owing allegiance to the United States who are in need.

* * *

Approved, June 26, 1940.

[CHAPTER 437]

June 27, 1940
[H. R. 10404]
[Public, No. 668]
54 Stat. 628

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1940, and June 30, 1941, and for other purposes.

Second Deficiency Appropriation Act, 1940

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1940, and June 30, 1941, and for purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

* * *

1642

1DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

Purchase, etc., of Indian supplies

Purchase and transportation of Indian supplies: For additional amounts for expenses of purchase and transportation of goods and supplies for the Indian Service for the following fiscal years:

For 1936, $1,500;

For 1937, $600;

For 1938, $30,000;

For 1939, $160,000.

Wind River Reservation, Wyo.
Purchase of land
25 U. S. C., Supp. V, § 573.

Purchase of land, Wind River Reservation, Wyoming (tribal funds): Not to exceed $150,000 of the amount authorized by section 3 of the Act of July 27, 1939 (53 Stat. 1130), to be expended from the tribal funds of the Shoshone Indians, Wyoming, is hereby made available for the purchase within Hot Springs County, Wyoming, of lands or interests therein, together with improvements thereon, including water rights or surface rights to lands, located outside the ceded portion of the Wind River Reservation but adjacent thereto, and owned by holders of grazing permits covering undisposed of surplus or ceded lands within said portion of the reservation, such purchases to be made subject to the provisions of section 6 of the Act of July 27, 1939, supra.

25 U. S. C., Supp. V, § 576.

Construction and repair, Alaska.

53 Stat. 711.

Construction and repair: For an additional amount of construction and repair, Alaska, hospital and quarters, fiscal year 1940, including the same objects specified under this head in the Interior Department Appropriation Act, 1940, $20,000.

Compensation of attorneys, Quinaielt Reservation, Washington: For payment to the attorneys of record for certain Quinaielt Indians, in accordance with the provisions of the Act of March 9, 1940 (Public, Numbered 430, Seventy-sixth Congress), fiscal year 1940, $20,107.16, to remain available until June 30, 1941.

Quinaielt Reservation, Wash., attorneys.

Ante, p. 48.

Compensation of attorneys, Osage Indians, Oklahoma (tribal funds): For compensation of an attorney or attorneys for the Osage Indians employed under a contract approved by the Secretary of the Interior on February 18, 1938, $25,000, payable from funds on deposit to the credit of the Osage Indians.

Osage Indians, Okla., attorneys.

Menominee Indians in Wisconsin: The Secretary of the Interior is hereby authorized and directed to withdraw from the Treasury of the United States during the fiscal year ending June 30, 1941, the sum of $105,000 of any funds on deposit to the credit of the Menominee Indians in Wisconsin, and to expend such sum, or as much thereof as may be necessary, for making a per capita payment of $50 to each enrolled member of the Menominee Tribe, such per capita payments to be made in two equal monthly installments during July and September 1940: *Provided*, That such per capita payment shall be in lieu of the payments authorized by the Act of June 15, 1934 (48 Stat. 964), for the fair market stumpage value of timber cut on the Menominee Reservation during the fiscal years 1940 and 1941: *Provided further*, That the amounts expended for making such per capita payment shall be reimbursed to the tribal funds utilized ⊥therefor from sums that would otherwise be paid such Indians pursuant to the Act of June 15, 1934, supra.

Menominee Indians in Wisconsin.
Per capita payments.

Proviso.
In lieu of timber payments.

Reimbursement.

⊥643.

* * *

⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

⊥656

* * *

⊥AUDITED CLAIMS

⊥658

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1937 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 765, Seventy-sixth Congress, there is appropriated as follows:

Payment.

18 Stat. 110.

23 Stat. 254.

* * *

⊥Department of the Interior:

⊥659

* * *

For Indian school support, $43.53.

For emergency conservation work (transfer to Interior, Indians, Act June 22, 1936), $65.14.

For emergency conservation fund (transfer from War to Interior, Indians, Act March 31, 1933), $12.03.

For expenses, sale of timber (reimbursable), $30.70.

For Indian Service supply fund, $809.05.

⊥For emergency conservation work (transfer to Interior, Indians, Act February 9, 1937), $33.04.

⊥660.

For agriculture and stock raising among Indians, $8.45.

For conservation of health among Indians, $11.65.

For support of Indians and administration of Indian property, $191.50.

* * *

⊥(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of

⊥662

which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1937 and prior years, unless otherwise stated, and

⊥663 ⊥which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 224, Seventy-sixth Congress, there is appropriated as follows:

* * *

Department of the Interior:

* * *

For Indian boarding schools, $31.44.

For support of Indians and administration of Indian property, $131.25.

* * *

⊥664 ⊥(c) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1937 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document ⊥Numbered 223, Seventy-sixth Congress, there is appropriated as follows:

Payment of designated claims.

18 Stat. 110.

23 Stat. 254.

⊥665

* * *

Department of the Interior:

* * *

For purchase of Indian supplies, $9.01.

* * *

Approved, June 27, 1940.

[CHAPTER 460]

AN ACT

June 29, 1940
[H. R. 9445]
[Public, No. 690]
54 Stat. 703

For the acquisition of Indian lands for the Grand Coulee Dam and Reservoir, and for other purposes.

Grand Coulee Dam project.
Acquisition of Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in aid of the construction of the Grand Coulee Dam project, authorized by the Act of August 30, 1935 (49 Stat. 1028), there is hereby granted to the United States, subject to the provisions of this Act, (a) all the right, title, and interest of the Indians in and to the tribal and allotted lands within the Spokane and Colville Reservations, including sites of agency and school buildings and related structures and unsold lands in Klaxta town site, as may be designated therefor by the Secretary of the Interior from time to time: *Provided*, That no lands shall be taken for reservoir purposes above the elevation of one thousand three hundred and ten feet above sea level as shown by General Land Office surveys, except in Klaxta town site; and (b) such other interests in or to any of such lands and property within these reservations as may be required and as may be designated by the Secretary of the Interior from time to time for the construction of pipe lines, highways, railroads, telegraph, telephone, and electric-transmission lines in connection with the project, or for the relocation or reconstruction of such facilities made necessary by the construction of the project.

Proviso.
Restriction; exception.

Construction of pipe lines, etc.

Use of reservoir land for hunting, etc., by Indians.

The Secretary of the Interior, in lieu of reserving rights of hunting, fishing, and boating to the Indians in the areas granted under this

Act, shall set aside approximately one-quarter of the entire reservoir area for the paramount use of the Indians of the Spokane and Colville Reservations for hunting, fishing, and boating purposes, which rights shall be subject only to such reasonable regulations as the Secretary may prescribe for the protection and conservation of fish and wildlife: *Provided*, That the exercise of the Indians' rights shall not interfere with project operations. The Secretary shall also, where necessary, grant to the Indians reasonable rights of access to such area or areas across any project lands.

Proviso.
Noninterference with project operations

SEC. 2. As lands or interests in lands are designated from time to time under this Act, the Secretary of the Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation therefor. As to the tribal lands, the amounts so determined shall be transferred in the Treasury of the United States from the funds now or hereafter made available for the construction of the Grand Coulee Dam project to the credit of the appropriate tribe pursuant to the provisions of the Act of May 17, 1926 (44 Stat. 560). The amounts due individual landowners or their heirs or devisees shall be paid from funds now or hereafter made available for the construction of said project to the superintendent of the Colville Indian Agency or such other officer as shall be designated by the Secretary of the Interior for credit on the books of said agency to the accounts of the individuals concerned.

Compensation to Indians.

Credit of funds to appropriate tribe.

25 U. S. C. § 155.

Payments to individual landowners.

SEC. 3. Funds deposited to the credit of allottees, their heirs or devisees may be used in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements, or the relocation of existing improvements or construction of new improvements on the lands so acquired for the allottees or heirs whose lands and improvements are acquired under the provisions of this Act. Lands so acquired shall be held in the same status as those from which the funds were derived, and shall be nontaxable until otherwise provided by Congress.

Use of funds for acquisition of other lands, etc.

SEC. 4. As to any Indian cemetery lands required for the project, the Secretary of the Interior is authorized, in his discretion, in lieu of requiring payment therefor, to establish cemeteries on other lands ⊥that he may select and acquire for the purpose, and to remove bodies, markers, and other appurtenances to the new sites. All costs incurred in connection with any such relocation shall be paid from moneys appropriated for the project. All right, title, and interest of the Indians in the lands within any cemetery so relocated shall terminate and the grant of title under this Act take effect as of the date the Secretary of the Interior authorizes the relocation. Sites of the relocated cemeteries shall be held in trust by the United States for the Spokane or Colville Tribe, as the case may be, and shall be nontaxable.

Relocation of Indian cemeteries.

⊥704

Payment of costs.

Sites held in trust by U. S.

SEC. 5. The Secretary of the Interior is hereby authorized to perform any and all acts and to prescribe such regulations as he may deem appropriate to carry out the provisions of this Act.

Regulations, etc.

Approved, June 29, 1940.

[CHAPTER 496]

AN ACT

To authorize the appropriation for payment of the cost of providing additional water for the Wapato Indian irrigation project, Washington.

July 1, 1940
[H. R. 3402]
[Public, No. 695]
54 Stat. 707

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $800,000, and credited to the reclamation fund, to defray the actual cost of furnishing an additional quantity of water annually of one hundred thousand acre-feet which is needed to provide adequate irrigation for forty acres each of the

Wapato Indian irrigation project, Wash.
Appropriation for additional water authorized.

Indian allotments of the Yakima Reservation as contemplated by the Act of August 1, 1914, and as set out in the terms of the agreement between the Bureau of Reclamation and the Office of Indian Affairs, approved by the Secretary of the Interior September 3, 1936, the same to be made available in amounts not to exceed $20,000 annually for forty years.

38 Stat. 582, 604.

Approved, July 1, 1940.

[CHAPTER 497]

July 1, 1940
[H. R. 6583]
[Public, No. 696]
54 Stat. 707

AN ACT

For expenditure of funds for cooperation with the public-school board, Cass County, Minnesota, for the construction, extension, equipment, and improvement of public-school facilities to be available to Indian children in the district.

Cass County, Minn.
Appropriation authorized for construction of public school facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $65,000 for the purpose of cooperating with the public-school board, Cass County, Minnesota, for the construction, extension, equipment, and improvement of the public-school facilities at a location to be agreed upon by the Secretary of the Interior and the school officials of Cass County, Minnesota: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the school maintained by the said district in the said building shall be available to all Indian children of the district, on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That plans and specifications for construction, extension, or improvement of structures shall be furnished by local or State authorities without cost to the United States, and upon approval thereof by the Commissioner of Indian Affairs actual work shall proceed under the ⊥direction of such local or State officials. Payment for work in place shall be made monthly on vouchers properly certified by local officials of the Indian Service: *Provided further*, That funds thus appropriated may be used as sponsors' contribution for the construction, extension, equipment, and improvement of the said public-school facilities approved and carried on under funds of the Work Projects Administration: *And provided further*, That any amount expended on any project hereunder shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the project, through reducing the annual Federal payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such schools without cost to the United States, and in computing the amount of recoupment for each project interest at 3 per centum per annum shall be included on unrecouped balances.

Provisos.
Availability to Indian children.

Plans and specifications.

⊥708

Payment for work.

Sponsors' contribution.

Recoupment by U. S.

Interest on unrecouped balances.

Approved, July 1, 1940.

[CHAPTER 552]

July 8, 1940
[S. 3951]
[Public, No. 730]
54 Stat. 744

AN ACT

For the acquisition of Indian lands for the Parker Dam and Reservoir project, and for other purposes.

Parker Dam project.
Acquisition of Indian lands for.
49 Stat. 1039.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in aid of the construction of the Parker Dam project, authorized by the Act of August 30, 1935 (49 Stat. 1028), there is hereby granted to the United States, its successors and assigns, subject to the provisions of this Act, all the right, title, and interest of the Indians in and to the tribal and allotted lands of the Fort Mohave Indian Reservation in Arizona and the Chemehuevi Reservation in California as may be designated by the Secretary of the Interior.

Determination of amount to be paid to Indians.
Payment by Metropolitan Water District of Southern California.

SEC. 2. The Secretary of the Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation for the rights granted under section 1 hereof. Such amount of money shall be paid to the Secretary of the Interior by the Metropolitan Water District of Southern California, a public corporation of the State of California, in accordance with the terms of the contract made and entered into on February 10, 1933, between the United States of America, acting through the Secretary of the Interior, and the Metropolitan Water District of Southern California. In the case of tribal lands, the amount due to the appropriate tribe shall be deposited by the said Secretary in the Treasury of the United States, pursuant to the provisions of the Act of May 17, 1926 (44 Stat. 560), as amended. The amounts due individual allottees, their heirs, or devisees shall be deposited by the said Secretary to the credit of the Superintendent of the Colorado River Indian Agency, or such other officer as shall be designated by the Secretary, for the credit on the books of the said agency to the accounts of the individual Indians concerned.

Deposit of amounts due tribes.

25 U. S. C. § 155.

Deposit of amounts due allottees.

SEC. 3. Funds deposited to the credit of the allottees, their heirs, or devisees may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements now in Indian ownership, or the construction of improvements for the allottees, their heirs, or devisees whose lands and improvements are acquired under the provisions of this Act. Lands so acquired shall be held in the same status as those from which the funds were derived.

Use of allottee funds.

Regulations, etc.

SEC. 4. The Secretary of the Interior is hereby authorized to perform any and all acts and to prescribe such regulations as may be deemed appropriate to carry out the provisions of this Act.

Approved, July 8, 1940.

[CHAPTER 554]

AN ACT

July 8, 1940
[H. R. 8024]
[Public, No. 732]
54 Stat. 745

To provide for the leasing of restricted allotments of deceased Indians in certain circumstances, and for other purposes.

Leasing of restricted allotments of deceased Indians; exception.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That restricted allotments of deceased Indians may be leased, except for oil and gas mining purposes, by the superintendents of the reservation within which the lands are located (1) when the heirs or devisees of such decedents have not been determined and (2) when the heirs or devisees of the decedents have been determined, and such lands are not in use by any of the heirs and the heirs have not been able during a three-months' period to agree upon a lease by reason of the number of the heirs, their absence from the reservation, or for other cause, under such rules and regulations as the Secretary of the Interior may prescribe. The proceeds derived from such leases shall be credited to the estates or other accounts of the individuals entitled thereto in accordance with their respective interests.

Conditions.

Crediting of proceeds.

Approved, July 8, 1940.

[CHAPTER 555]

AN ACT

July 8, 1940
[H. R. 8499]
[Public, No. 733]
54 Stat. 746

Relating to adoption of minors by Indians.

Adoption of minors by Indians.
Recognition in probate matters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in probate matters under the exclusive jurisdiction of the Secretary of the Interior, no person shall be recognized as an heir of a deceased Indian by virtue of an adoption—

Conditions.

(1) Unless such adoption shall have been—

(a) by a judgment or decree of a State court;

(b) by a judgment or decree of an Indian court;

(c) by a written adoption approved by the superintendent of the agency having jurisdiction over the tribe of which either the adopted child or the adoptive parent is a member, and duly recorded in a book kept by the superintendent for that purpose; or

(d) by an adoption in accordance with a procedure established by the tribal authority, recognized by the Department of the Interior, of the tribe either of the adopted child or the adoptive parent, and duly recorded in a book kept by the tribe for that purpose; or

(2) Unless such adoption shall have been recognized by the Department of the Interior prior to the effective date of this Act or in the distribution of the estate of an Indian who has died prior to that date: *Provided*, That an adoption by Indian custom made prior to the effective date of this Act may be made valid by recordation with the superintendent if both the adopted child and the adoptive parent are still living, if the adoptive parent requests that the adoption be recorded, and if the adopted child is an adult and makes such a request or the superintendent on behalf of a minor child approves of the recordation.

Proviso. Adoption by Indian custom

Nonapplication of Act.

SEC. 2. This Act shall not apply with respect to the distribution of the estates of Indians of the Five Civilized Tribes or the Osage Tribe in the State of Oklahoma, or with respect to the distribution of estates of Indians who have died prior to the effective date of this Act.

Effective date.

SEC. 3. This Act shall become effective six months after the date of its approval.

Approved, July 8, 1940.

[CHAPTER 565]

AN ACT

July 10, 1940
[S. 3972]
[Public, No. 734]
54 Stat. 746

To authorize exchanges of lands within the Navajo Indian Reservation, Arizona.

Navajo Indian Reservation, Ariz.
Exchange of lands within

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to exchange tribal lands within the Navajo Indian Reservation in Arizona for privately owned mineral lands of approximately equal value within the boundary of such reservation. Upon conveyance to the United States in trust for the Navajo Indians of the lands being acquired by the United States, the Secretary of the Interior is authorized to issue a patent in fee covering the lands granted in exchange: *Provided*, That the sufficiency of title to all such lands acquired by the United States shall be approved by the Secretary of the Interior.

Issuance of patent.

Proviso. Sufficiency of title

Approved, July 10, 1940.

[CHAPTER 629]

AN ACT

July 16, 1940
[S. 29]
[Public, No. 744]
54 Stat. 761

To authorize the use of certain facilities of Indian reservations, national parks, and national monuments for elementary school purposes.

Use of certain facilities of Indian reservations, etc., for elementary school purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate the providing of educational opportunities for children of Government employees and other residents in Indian reservations, the national parks and national monuments the Secretary of the Interior is hereby authorized in his discretion to make available for elementary school purposes therein, without charge, space in Government-owned buildings, when such space may be available for such

purposes without detriment to the official business of such Indian reservations, national parks and national monuments.

Approved, July 16, 1940.

[CHAPTER 687]

AN ACT

Relating to the issuance by the Secretary of the Interior of a patent to the State of Minnesota for certain lands in that State.

August 22, 1940
[S. 3954]
[Public, No. 769]
54 Stat. 858

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may cancel the patent issued on August 24, 1886, to Joe Blair, as allottee numbered 4 of the Fond du Lac Indian Reservation, Minnesota, for the north half of the northeast quarter of section 30, township 49 north, range 17 west, of the fourth principal meridian in Minnesota, and may issue to the State of Minnesota as a fee-simple patent for the tract of land described. If issued, the fee-simple patent shall operate as a full and complete conveyance of any and all right, title, or interest that the heirs of Joe Blair, deceased allottee numbered 4 of the Fond du Lac Indian Reservation, Minnesota, and that the United States of America may have in and to said described lands. Prior to the issuance of such patent, the Secretary of the Interior may require the State of Minnesota, at its expense, to furnish satisfactory evidence that there are no outstanding liens, encumbrances, or other conveyances of record against said lands other than the original patent issued under date of August 24, 1886, to the said Joe Blair covering the lands hereinabove described.

Minnesota
Issuance of patent to, for tract of land

Description

Condition

Approved, August 22, 1940.

[CHAPTER 715]

AN ACT

To amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes.

September 5, 1940
[H. R. 9575]
[Public, No. 780]
54 Stat. 867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural ⊥post roads, and for other purposes", approved July 11, 1916 (30 Stat. 365), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums, to be expended according to the provisions of such Act as amended and supplemented: The sum of $100,000,000 for the fiscal year ending June 30, 1942, and the sum of $100,000,000 for the fiscal year ending June 30, 1943.

Federal Highway Act of 1940

⊥868

* * *

⊥869

⊥SEC. 7. For the purpose of carrying out the provisions of section 3 of the Federal Highway Act (42 Stat. 212), as amended by the Act of June 24, 1930 (46 Stat. 805), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations the sum of $1,500,000 for the fiscal year ending June 30, 1942, and the sum of $1,500,000 for the fiscal year ending June 30, 1943, to remain available until expended: ⊥*Provided*, That apportionments of funds made under the second paragraph of section 3 of the Federal Highway Act, as amended by the Act of June 24, 1930 (46 Stat. 805), shall be made on the basis of the area of such lands in each State as shown by certificate of the Secretary of the Interior which he is directed to make as of June 30 each year.

Roads through unreserved public lands, etc
Appropriations authorized
23 U. S. C. § 3

⊥870

25 U. S. C. § 318a.

* * *

Indian reservation roads.
Appropriations authorized.

SEC. 10. For construction and improvement of Indian reservation roads under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $3,000,000 for the fiscal year ending June 30, 1942, and the sum of $3,000,000 for the fiscal year ending June 30, 1943: *Provided*, That hereafter the location, type, and design of all roads constructed under the provisions of said Act of May 26, 1928, shall be approved by the Public Roads Administration before any expenditures are made thereon, and all such construction done by contract shall be under the general supervision of the Public Roads Administration.

Proviso.
Location, etc., of roads.

* * *

Approved, September 5, 1940.

[CHAPTER 761]

AN ACT

October 8, 1940
[H. R. 8124]
[Public, No. 804]
54 Stat. 1020

To provide funds for cooperation with public-school districts (organized and unorganized) in Mahnomen, Itasca, Pine, Saint Louis, Clearwater, Koochiching, and Becker Counties, Minnesota, in the construction, improvement, and extension of school facilities to be available to both Indian and white children.

Minnesota.
Appropriation authorized for cooperating with designated school districts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $120,500 for the purpose of cooperating with the following public-school districts (both organized and unorganized) in the State of Minnesota, such appropriation to be apportioned as follows: Naytahwaush, Independent School District Numbered 29, Mahnomen County, $19,000; Inger, District Numbered 6 (Deer River), Itasca County, $7,000; Lake Lena, District Numbered 2, Pine County, $12,500; Vermillion Lake, Tower-Soudan District, Saint Louis County, $7,000; Beaulieu, unorganized district, Mahnomen County, $12,500; Jack Pine, unorganized district, Clearwater County, $7,000; Nett Lake, unorganized district, Saint Louis-Koochiching Counties, $37,500; Pine Point, unorganized district, Becker County, $3,000; Squaw Point, unorganized district, Cass County, $15,000; for the construction, extension, equipment, and improvement of public-school facilities: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the schools maintained by these said districts in any buildings constructed or improved with such money shall be available to all Indian children of the districts, on the same terms, except as to payment of tuition, as other children of said school districts: *Provided further*, That plans and specifications for construction, extension, or improve-⊥ment of structures shall be furnished by local or State authorities without cost to the United States Government, and, upon approval thereof by the Commissioner of Indian Affairs, actual work shall proceed under the direction of such local or State officials. Payment for work in place shall be made monthly on vouchers properly certified by local officials of the Indian Service: *Provided further*, That funds appropriated pursuant to this Act may be used as sponsors' contributions for the construction, extension, equipment, and improvement of the said public-school facilities approved and carried on under funds of the Work Projects Administration: *Provided further*, That no funds available under this Act shall be expended for improvements to existing buildings which belong to a school district and which are on tribal land or for construction of new buildings on tribal land until the tribe shall have issued to the school district a permit approved by the Commissioner of Indian Affairs authorizing the use of the tracts required as school sites for so long as the land shall be used for school purposes by the school district and agreeing that the improvements and buildings shall be and remain the property of the school district. Title to

Provisos.
Availability of schools to Indian children.

Plans and specifications.

[1021]

Use of funds as sponsors' contributions.

Permits authorizing use of tribal lands.

Title to improvements, etc.

improvements and to new buildings shall remain in the United States until recoupment of expenditures by the United States as provided in this Act. Upon recoupment, improvements made and new buildings constructed shall become the property of the school district: *Provided further*, That any amount expended for improvements to existing buildings belonging to the school district or for the construction of new buildings shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the project, through reducing the annual Federal payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such schools without cost to the United States, and in computing the amount of recoupment for each project interest at 3 per centum per annum shall be included on unrecouped balances: *And provided further*, That not to exceed 10 per centum of the amount allocated to any one of the above-named districts may be transferred, in the discretion of the Commissioner of Indian Affairs, to the allocation for any other district, but no project shall be increased more than 10 per centum by any such transfer.

Recoupment by U S

Transfer of allocated funds, limitation.

Approved, October 8, 1940.

[CHAPTER 780]

AN ACT

Making supplemental appropriations for the support of the Government for the fiscal year ending June 30, 1941 and for other purposes.

October 9, 1940
[H. R. 10539]
[Public, No. 812]
54 Stat. 1030

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Government for the fiscal year ending June 30, 1941, and for other purposes, namely:

First Supplemental Civil Functions Appropriation Act, 1941.

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥DEPARTMENT OF THE INTERIOR

⊥1040

* * *

BUREAU OF INDIAN AFFAIRS

Suppressing forest fires on Indian reservations: For an additional amount for the suppression or emergency prevention of forest fires on or threatening Indian reservations, $30,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested.

Suppressing forest fires.
Ante, p. 416

⊥Compensation and expenses of an attorney or attorneys for the Chippewa Tribe of Indians, Minnesota (tribal funds): For compensation and expenses of an attorney or attorneys employed by the Chippewa Tribe of Indians, Minnesota, under a contract or contracts approved by the Secretary of the Interior, $23,400, or so much thereof as may be necessary, payable from the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat. 645), and the amount herein appropriated shall be available for compensation earned and expenses incurred during the period covered by said contract or contracts.

⊥1041

Chippewa Indians, Expenses of attorneys.

Construction and repair: For an additional amount for the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of furniture, furnishings, and equipment as follows:

Construction and repair

Red Lake, Minnesota: School facilities, $107,000, to remain available until completion of the project when the unobligated balance shall

Red Lake, Minnesota. School Facilities. *Provisos.* Condition.

revert to the Treasury: *Provided*, That no obligation shall be incurred hereunder unless and until the school district of Beltrami County, Minnesota, shall have deposited into the Treasury to the credit of this appropriation the unobligated balance of the insurance collected on the destroyed Red Lake school plant.

Eastern Cherokees Relief

Eastern Cherokees: For the relief of the Eastern Cherokees, as authorized by the bill (S. 4232) entitled "An Act for the relief of the Eastern Cherokees", Seventy-sixth Congress, fiscal year 1941, $1,997.84, without interest and to be in full settlement of all claims of such tribe of Indians against the Government as found to be due by the Supreme Court of the United States in 1906 (202 U.S. 101).

* * *

⊥1042

⊥NATIONAL PARK SERVICE

National historical parks and monuments. *Ante*, p. 448

National historical parks and monuments: For an additional amount for national historical parks and monuments, including the purchase and installation of Virginia Indian artifacts known as the Wirt Robinson Indian collection, and the construction of an additional wing to the Jamestown Museum, $10,000.

* * *

⊥1047

⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

⊥1048

⊥AUDITED CLAIMS

Payment of claims

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), ⊥and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1938 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 897, Seventy-sixth Congress, there is appropriated as follows:

18 Stat. 110. ⊥1049

23 Stat. 254

* * *

⊥1050

⊥Emergency Relief:

Emergency relief

* * *

For emergency relief, Emergency Conservation Work, Interior, Indians, miscellaneous projects, Indian reservations, $29.19.

* * *

⊥1051

⊥Department of the Interior:

* * *

For conservation of health among Indians, $5.18.

For Indian school support, $6.80.

For maintenance, irrigation systems, Flathead Reservation, Montana (receipt limitation), $213.36.

For support of Indians and administration of Indian property, $22.

* * *

⊥1052

Payment of claims

⊥(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1938 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 282, Seventy-sixth Congress, there is appropriated as follows:

18 Stat. 110.

23 Stat. 254.

* * *

⊥Emergency Relief:

⊥1053

* * *

⊥For emergency relief, Interior, Indians, loans and grants to Indians for rehabilitation, 83 cents. ⊥1054

* * *

Department of the Interior:

Department of the Interior

For Civilian Conservation Corps (transfer to Interior, Indians), $10.35.

For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), $122.82.

For general expenses, Indian Service, $54.45.

For Indian school support, $102.15.

For conservation of health among Indians, $12.57.

For construction, and so forth, irrigation systems, Indian reservations (reimbursable), $5.45.

For improvement and maintenance, irrigation systems, Crow reservations, Montana, $14.08.

* * *

Approved, October 9, 1940.

[CHAPTER 781]

AN ACT

To authorize the leasing of certain Indian lands subject to the approval of the Secretary of the Interior.

October 9, 1940
[S. 253]
[Public, No. 813]
54 Stat. 1057

Washington
Lease of designated Indian lands

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, any Indian lands on the Port Madison and Snohomish or Tulalip Indian Reservations in the State of Washington, may be leased by the Indians with the approval of the Secretary of the Interior, and upon such terms and conditions as he may prescribe, for a term not exceeding twenty-five years: *Provided, however*, That such leases may provide for renewal for an additional term not exceeding twenty-five years, and the Secretary of the Interior is hereby authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this Act.

Proviso
Renewal, rules, etc

Approved, October 9, 1940.

[CHAPTER 785]

AN ACT

To confer jurisdiction upon certain United States commissioners to try petty offenses committed on Federal reservations.

October 9, 1940
[H. R. 1990]
[Public, No. 817]
54 Stat. 1058

U.S. commissioners, Jurisdiction to try petty offenses

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any United States commissioner specially designated for that purpose by the court by which he was appointed shall have jurisdiction to try and, if found guilty, to sentence persons charged with petty offenses against the law, or rules and regulations made in pursuance of law, committed in any place over which the Congress has exclusive power to legislate or over which the United States has concurrent jurisdiction, and within the judicial district for which such commissioner was appointed. The probation laws shall be applicable to persons so tried before United States commissioners. For the purposes of this Act the term "petty offense" shall be defined as in section 335 of the Criminal Code (U. S. C., title 18, sec. 541). If any person charged with such petty offense shall so elect, however, he shall be tried in the district court of the United States which has jurisdiction ⊥over the offense. The commissioner before whom the defendant is arraigned shall apprise

Probation laws

"Petty offense" defined
46 Stat. 1029

Right of defendant to be tried in district court of U.S.

⊥1059

the defendant of his right to make such election and shall not proceed to try the case unless the defendant after being so apprised, signs a written consent to be tried before the commissioner.

Appeal.

SEC. 2. In all cases of conviction by United States commissioners an appeal shall lie from the judgment of the commissioner to the district court of the United States for the district in which the offense was committed. The Supreme Court shall prescribe rules of procedure and practice for the trial of cases before commissioners and for taking and hearing of appeals to the said district courts of the United States.

Rules of procedure, etc.

Fees.

SEC. 3. United States commissioners specially designated under authority of section 1 of this Act shall receive for services rendered under this Act the same fees, and none other, as provided for like or similar services in other cases under section 21 of the Act of May 28, 1896 (29 Stat. 184; U. S. C., title 28, 597).

Existing jurisdiction, etc.

SEC. 4. This Act shall not be construed as in any way repealing or limiting the existing jurisdiction, power, or authority of United States commissioners, including United States commissioners appointed for the several national parks and the United States commissioners in Alaska.

Nonapplication to D.C.

SEC. 5. The provisions of this Act shall not apply to the District of Columbia.

Approved, October 9, 1940.

[CHAPTER 787]

AN ACT

October 9, 1940
[H. R. 6687]
[Public, No. 819]
54 Stat. 1059

To permit the States to extend their sales, use, and income taxes to persons residing or carrying on business, or to transactions occurring, in Federal areas, and for other purposes.

Extension of State sales or use tax to Federal areas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) no person shall be relieved from liability for payment of, collection of, or accounting for any sales or use tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, on the ground that the sale or use, with respect to which such tax is levied, occurred in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect any such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

54 STAT. 1060

Applicability.

⊥(b) The provisions of subsection (a) shall be applicable only with respect to sales or purchases made, receipts from sales received, or storage or use occurring, after December 31, 1940.

Extension of State income tax to Federal areas.

SEC. 2. (a) No person shall be relieved from liability for any income tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, by reason of his residing within a Federal area or receiving income from transactions occurring or services performed in such area; and such State or taxing authority shall have full jurisdiction and power to levy and collect such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

Applicability.

(b) The provisions of subsection (a) shall be applicable only with respect to income or receipts received after December 31, 1940.

* * *

Taxation of Indians.

SEC. 5. Nothing in sections 1 and 2 of this Act shall be deemed to authorize the levy or collection of any tax on or from any Indian not otherwise taxed.

* * *

Approved October 9, 1940.

[CHAPTER 844]

AN ACT

Authorizing a per capita payment of $10 each to the members of the Red Lake Band of Chippewa Indians from any funds on deposit in the Treasury of the United States to their credit.

October 10, 1940
[H. R. 8369]
[Public, No. 835]
54 Stat. 1103

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw as much as may be necessary from any funds on deposit in the Treasury of the United States to the credit of the Red Lake Indians in Minnesota, and to make therefrom a per capita payment of $10 to each of the members of the Red Lake Band of Chippewa Indians of the State of Minnesota, living at the date of the passage of this Act, immediately payable upon the passage of this Act, under such rules and regulations as the said Secretary may prescribe: *Provided*, That the money paid to the Indians as authorized herein shall not be subject to any lien or claim of attorneys or other parties: *Provided further*, That before any payment is made hereunder, the Red Lake Band of Chippewa Indians in Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify the provisions of this Act and accept same.

Red Lake Band of Chippewa Indians, Minn.
Per capita payment to.

Provisos.
Payments not subject to any lien, etc.
Acceptance, etc.

Approved, October 10, 1940.

[CHAPTER 845]

AN ACT

To further amend the Alaska game law.

October 10, 1940
[H. R. 8474]
[Public, No. 836]
54 Stat. 1103

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the Act entitled "An Act to establish an Alaska Game Commission, to protect game animals, land fur-bearing animals, and birds in Alaska, and for other purposes", approved January 13, 1925, as amended, is further amended to read as follows:

Alaska Game Law amendment.
43 Stat. 743.
48 U. S. C. § 198, Supp. V, § 198.

"SEC. 10. REGULATIONS.—That the Secretary of the Interior, upon consultation with or recommendation from the Commission, is hereby authorized and directed from time to time to determine when, to what extent if at all, and by what means game animals, land fur-bearing animals, game birds, nongame birds, and nests or eggs of birds may be taken, possessed, transported, bought, or sold, and to adopt suitable regulations permitting and governing the same in accordance with such determinations, which regulations shall become effective on the date specified therein; but no such regulations shall permit any person to take any female or calf moose, any doe yearling or fawn deer, or any female or lamb mountain sheep except under permit for scientific, propagation, or educational purposes; or to use any dog in taking game animals; or to sell the heads, hides, or horns of any game animals, except the hides of moose, caribou, deer, and mountain goat, or black bears if and when declared to be game animals by the Secretary ⊥of the Interior under authority of section 2 of this Act, which the regulations may permit to be sold under such restrictions as said Secretary may deem to be appropriate; or to use any shotgun larger than a number 10 gage; or to use any airplane, or steam or power launch, or any boat other than one propelled by paddle, oars, or pole, in taking game animals or game birds; or to sell any game animals, game birds, or parts thereof to the owner, master, or employee of any coastal or river steamer or commercial power or sailboat, or to procure for serving or to serve any such game animals, game birds, or parts thereof in any cannery or to the employees on any such steamer or boat; nor, except as herein provided, shall prohibit any Indian or Eskimo, prospector, or traveler to take animals

Regulations for taking game animals, etc.

Special prohibitions.

⊥1104

43 Stat. 739, 52 Stat. 1169.

48 U. S. C. § 206, Supp. V, § 206.
Firearms, boats, etc.

Sales.

or birds during the closed season when he is in need of food and other sufficient food is not available, but the shipment or sale of any animals or birds or parts thereof so taken shall not be permitted, except that the hides of animals so taken may be sold within the Territory, but said Secretary by regulation may prohibit such native Indians or Eskimos, prospectors, or travelers from taking any species of animals or birds for food during the closed season in any section of the Territory within which he shall determine that the supply of such species of animals or birds is in danger of extermination; nor shall any such regulation contravene any of the provisions of the Migratory Bird Treaty Act and regulations: *Provided*, That no person shall knowingly disturb, injure, or destroy any notice, signboard, seal, boat, vessel, sled, dog, or dog team, paraphernalia, or equipment, building, or other improvement or property of the United States used by the Commission in the administration and/or enforcement of the provisions of this Act, or as a notice to the public concerning the provisions of this Act or any regulation adopted pursuant thereto, or as a marker of the boundary of any area closed to hunting, trapping, or other special use under the provisions of this Act, or to destroy, remove, tamper with, or imitate any metal seal or seals issued by the Commission and attached to any skin, portion, or specimen of a wild animal or bird or other article for purposes of identification under its authority, in accordance with the provisions of this Act or any regulation thereunder."

Use for food during closed season.

40 Stat. 755.
16 U. S. C. §§ 703–711; Supp. V, §§ 703–709a.

Proviso.
Destruction, etc., of property used by Commission.

Approved, October 10, 1940.

[CHAPTER 851]

AN ACT

October 10, 1940
[H. R. 10061]
[Public, No. 842]
54 Stat. 1109

To consolidate certain exceptions to section 3709 of the Revised Statutes and to improve the United States Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, . . .

* * *

⊥1111

⊥SEC. 3.

* * *

Menominee Indian Reservation.

(c) All contracts for labor or supplies necessary for the carrying on of operations on the Menominee Indian Reservation pursuant to the Act of March 28, 1908 (35 Stat. 51), as amended, shall be exempt from the requirements of section 3709 of the Revised Statutes.

* * *

Approved, October 10, 1940.

[CHAPTER 861]

AN ACT

October 14, 1940
[H. R. 10122]
[Public, No. 848]
54 Stat. 1119

To amend an Act entitled "An Act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States", approved August 11, 1939 (53 Stat. 1418), and an Act entitled "An Act to promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes", approved August 28, 1937 (50 Stat. 869).

Great Plains, etc., water conservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States", approved August 11, 1939 (53 Stat. 1418), is hereby amended to read as follows:

16 U. S. C., Supp. V, §§ 590y–590bb.

Water conservation and utilization projects.

"SECTION 1. For the purpose of stabilizing water supply and thereby rehabilitating farmers on the land and providing opportunities for permanent settlement of farm families, the Secretary of the Interior

(hereinafter referred to as "the Secretary") is hereby authorized to investigate and, upon compliance with the provisions of this Act, to construct water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States, and to operate and maintain each such project in accordance with the provisions of this Act: *Provided*, That the United States shall retain title to the dams, reservoirs, irrigation, and other project works until Congress otherwise provides: *And provided further*, That expenditures from appropriations made directly pursuant to the authority contained in section 12 (1) to meet reimbursable construction costs allocated to irrigation as defined in section 4 (b) shall not exceed $1,000,000 for dams and reservoirs in any one project.

Provisos.
Federal title to project works.

Expenditures to meet reimbursable costs, limitation.

⊥"SEC. 2. In connection with the investigation, construction, or ⊥operation and maintenance of a project, pursuant to the authority of this Act, the Secretary is authorized to utilize (1) in such manner as the President may direct, services, labor, materials, or other property, including money, supplied by the Work Projects Administration, the Civilian Conservation Corps, the Office of Indian Affairs, the Department of Agriculture, or any other Federal agency, for which the United States shall be reimbursed in such amounts as the President may fix for each project, within the limits of the water users' ability to repay costs as found by the Secretary under subsection 3 (a) (iv); and (2) such services, labor, materials, easements or property, including money, as may be contributed by any State or political subdivision thereof, State agency, municipal corporation, or other organization, or individuals, if, in the judgment of the Secretary, the acceptance thereof will not impair the title of the United States to the project works and will not reduce the probability that the project water users can meet the obligations to the United States entered into pursuant to this Act. Moneys received and accepted under (2) of this section shall be and remain available for expenditure for the purposes for which contributed in like manner as if said sums had been specifically appropriated for said purposes.

⊥ 1120

Utilization of services, etc., of other agencies.

Use of moneys received.

"SEC. 3. (a) No construction of a project may be undertaken pursuant to the authority of this Act unless and until the Secretary has made an investigation thereof and has submitted to the President his report and findings on—

Investigations.

Reports and findings.

"(i) the engineering feasibility of the proposed construction;

"(ii) the estimated cost of the proposed construction;

"(iii) the part of the estimated cost which properly can be allocated to irrigation;

"(iv) the part of the estimated cost which probably can be repaid by the water users in accordance with the requirements of section 4;

"(v) the part of the estimated cost which can properly be allocated to municipal or miscellaneous water supplies or power and probably be returned to the United States in revenues therefrom;

"(vi) the part of the estimated cost which can properly be allocated to the irrigation of Indian trust and tribal lands, and be repayable in accordance with existing law relating to Indian lands;

"(vii) the part of the estimated cost which can properly be allocated to flood control as recommended by the Chief of Engineers, War Department.

In connection with each such investigation, report, and finding, the Secretary shall consult with the Secretary of Agriculture regarding participation in the proposed project by the Department of Agriculture under the authority of sections 5 and 6; and the Secretary shall also transmit to the President a report by the Secretary of Agriculture to the President on the participation, if any, proposed by the Depart-

Participation by Department of Agriculture.

When project deemed authorized.

Findings.

Availability of services, property, etc.

[1121]

Contribution by non-Federal agencies.

Rights-of-way to be secured before construction.

Acquisition of water rights, etc.

Repayment contracts.

"Reimbursable construction costs."

Proviso.
Administrative expenses.

Provisions of repayment contract.

Development period.

Water charges.

ment of Agriculture. The project shall be deemed authorized and may be undertaken pursuant to this Act if (1) the Secretary finds and certifies to the President that the project has engineering feasibility and that the water users probably can repay, in accordance with the requirements of section 4, an amount equal to or in excess of that part of the estimated cost allocated by him to irrigation to be met by expenditure of moneys appropriated pursuant to section 12 (1); and (2) the President has approved said report and findings and has found that services, labor, materials, easements, and other property, including money, for the construction of the project, should be made available to the Depart-[1]ment of the Interior by the Work Projects Administration or other Federal agencies, to the extent found necessary by the Secretary to make up the difference between the estimated cost of project construction and (i) the part thereof to be met by expenditure of moneys appropriated pursuant to section 12(1), together with (ii) such services, materials, money, easements, and other property as non-Federal agencies or parties have agreed to contribute and the Secretary has found acceptable under section 2.

"(b) No actual construction of the physical features of a project, which meets the requirements of subsection (a) shall be undertaken unless and until (1) rights-of-way and other interests in land deemed by the Secretary to be necessary for the construction and operation of the major features of the project works have been secured, with titles or easements and at prices satisfactory to the Secretary; and (2) the Secretary has found (i) that water rights adequate for the purposes of the project have been acquired with titles and at prices satisfactory to him, or have been initiated and can be perfected in conformity with State law and any applicable interstate agreements and in a manner satisfactory to him; and (ii) that such water rights can be utilized for the purposes of the project in conformity with State law and any applicable interstate agreements and in a manner satisfactory to him.

"SEC. 4. (a) No water for irrigation may be delivered from the works of any project constructed under the authority of this Act until after the repayment contract or contracts required by this section have been executed. Where practicable in the judgment of the Secretary, the repayment contract shall be with a water users' organization or organizations satisfactory in form and powers to the Secretary; and otherwise the repayment contract shall be with the individual landowners. The contract or contracts shall contain such provisions as the Secretary deems necessary to carry out the purposes of this Act and to protect the interests of the United States.

"(b) The term 'reimbursable construction costs' as used in this Act means that part of the costs of investigating, constructing, and operating and maintaining the project, which are allocated by the Secretary to irrigation, and which are met by expenditures of moneys therefor appropriated under the authority of section 12 (1), plus such amounts as the President, under section 2 (1), may determine to be reimbursable; *Provided,* That administrative expenses incurred in the District of Columbia in connection with the investigation, construction, or operation and maintenance of a project shall not be included in the reimbursable construction costs nor shall they be charged to the water users in any way.

"(c) The repayment contract or contracts for a project shall, in their aggregate, provide for repayment to the United States of the total amount of the reimbursable construction costs of the project allocated to irrigation. Each such contract shall provide, among other things, that—

"(1) The Secretary shall fix a development period for each project of not to exceed ten years from and including the first calendar year in which water is delivered for the lands in said project; and during the development period water shall be delivered to the lands in the project

involved at a charge per acre-foot, or other charge, to be fixed by the Secretary each year and to be paid in advance of delivery of water. Such charges shall be fixed with a view of returning such amounts as in the Secretary's judgment are justified by the rate of project development, including as a minimum the return over the full development period of that part of the cost of operating and maintaining the project, during said period, allocated by the Secre-⊥tary to irrigation; and collections of such charges in excess of the cost of the operation and maintenance during the development period, as thereafter determined by the Secretary, shall be credited to the reimbursable construction costs of the project in the manner determined by the Secretary. 1 1122

"(2) The United States shall operate and maintain the project during the development period fixed for it. After the development period, the United States shall operate and maintain the project or any part thereof as long as is deemed necessary by the Secretary, and shall be paid in advance for each year that part of the estimated cost of operating and maintaining the project for such year allocated by the Secretary to irrigation. In the event charges due the United States are not paid when due the United States may, at its election, suspend operations in whole or in part. Federal operation. Suspension for non-payment of charges.

"(3) The repayment of the reimbursable construction costs, except as to Indian lands which shall be repayable in accordance with existing law relating to Indian lands, shall be spread in not to exceed forty annual installments, of the number and amounts fixed by the Secretary; and the first annual installment under each contract shall become due and payable on the date fixed by the Secretary, in the year next following the last year of the development period fixed under subsection (c) (1): *Provided*, That the provisions of this subsection shall not be construed to modify the provisions of special legislation pertaining to any particular project. Spread of certain repayments. Date of first installment. *Proviso.* Provisions not affected.

"(4) The water users or their organization will take such measures as the Secretary deems proper to secure the adoption of proper accounting, to protect the condition of project works, and to provide for the proper use thereof, and to protect project lands against deterioration due to improper use of water. Delinquencies in any payments due to the United States shall be penalized by a penalty of not less than one-half of 1 per centum per month. No water shall be delivered to or for any land or party while either said land or the organization in which it is located or said party is in arrears in the advance payment of operation and maintenance charges or development period charges under subsection (c) (1), or in arrears for more than twelve months in the payment of an installment of the reimbursable construction costs. Accounting. Delinquencies in payments; penalties.

"(5) The Secretary shall establish the size of farm units of irrigable lands on each project in accordance with his findings of the area sufficient in size for the support of a family on the lands to be irrigated. No water may be delivered to or for more than the farm unit area of irrigable lands in the project owned by a single landowner: *Provided*, That this subsection shall not apply to the United States or any agency or instrumentality thereof, corporate or otherwise. No water shall be delivered to or for any land, in a project area, transferred or disposed of subsequent to approval of the project by the President, and within three years from the time water becomes available, unless and until it has been shown to the satisfaction of the Secretary or his duly authorized representative that the land has been transferred or disposed of at a price not exceeding the appraised value as determined by the Secretary or his duty authorized representatives, and upon proof of fraudulent representation as to the true consideration involved the Secretary is authorized to cancel the water right attaching to the land involved: *Provided further*, That nothing Size of farm units of irrigable lands. *Provisos.* Provision not applicable to U S. Transfer or disposal of land in project area.

Delivery of water under prior rights.

herein shall be construed to create authority to interfere with the delivery of water under prior rights.

Cooperative rehabilitation program.

"SEC. 5. (a) In connection with the construction or operation and maintenance of projects undertaken pursuant to the authority of this Act, and in order to further in the Great Plains and arid and ⊥1123 semiarid areas of the United States an effective rehabilitation program, stabilization of the agricultural economy and maximum utilization of funds spent for relief purposes, the Secretary of Agriculture is hereby authorized, pursuant to cooperative agreement with the Secretary of the Interior, (1) to arrange for the settlement of the projects on a sound agricultural basis, and insofar as practicable, the location thereon of persons in need; (2) to extend guidance and advice to settlers thereon in matters of farm practice, soil conservation, and efficient land use; (3) to acquire agricultural lands within the boundaries of such projects, with titles and at prices satisfactory to him; and (4) to arrange for the improvement of lands within the project boundaries, including clearing, leveling, and preparing them for distribution of irrigation water. Contracts between the United States and water users or water users' organizations for the lease or purchase of, or the improvement of, lands within such projects shall provide for annual or semiannual payments to the United States, of the number and amounts fixed by the Secretary of Agriculture. The lease, purchase, or improvement contracts for each tract of land shall provide in the aggregate for the return, in not to exceed fifty years from the date the land is first settled upon, of the costs incurred by the United States in acquiring and improving such tract of land with funds appropriated under authority of section 12 (2), except administrative expenses incurred in the District of Columbia, together with interest on unpaid balances of said costs at not less than 3 per centum per annum. Such lease, purchase, or improvement contracts shall also provide for the fulfillment of such obligations related to reimbursable construction costs and operation and maintenance charges as may be applicable to such lands in accordance with the repayment contract or contracts required by section 4.

Settlement of projects.

Guidance to settlers.

Acquisition of agricultural lands.

Improvement of lands.

Contracts between U. S. and water users for lease, etc., of lands.

Return of costs incurred by U. S.

Assistance of other agencies; reimbursement.

"(b) For the purposes of this section, the Secretary of Agriculture may utilize (1) in such manner as the President may direct, services, labor, materials, or other property, including money, supplied by the Work Projects Administration, the Civilian Conservation Corps, the Office of Indian Affairs, the Department of Agriculture, or any other Federal agency to the extent that the President, upon the report and recommendations of the Secretary of Agriculture, finds that the same should be supplied in assistance of such improvement work, and for which the United States shall be reimbursed in such amounts as the President may fix for each project; and (2) such services, labor, materials, easements, or other property, including money, as may be contributed by any State or political subdivision thereof, State agency, municipal corporation, or other organization, or individuals. Moneys received and accepted under (2) of this subsection shall remain available for expenditure for the purposes for which contributed in like manner as if said sums had been specifically appropriated for said purposes.

Cooperative agreements.

Investigations and surveys of proposed projects.

"SEC. 6. The Secretary, by cooperative agreements, may arrange with the Department of Agriculture or with such other Federal or State agencies, as the President may deem desirable, for cooperation in the investigations and surveys of projects proposed under the authority of this Act; and in connection with any such project which is undertaken the Secretary by such cooperative agreements may arrange for such cooperation in the construction or operation and maintenance of the project as he deems desirable. Any such cooperative agreement with the Department of Agriculture may provide, among other things (1) that the Secretary of Agriculture shall enter

Provisions to be included.

Jurisdiction over repayment contracts.

into the repayment contracts, required by section 4, and shall handle the collections of repayments and shall take over the other adminis- ⊥ trative duties connected with the project, after the Secretary of the Interior announces that the project is ready for operation; (2) if such agreement be entered into after construction of the project has been undertaken by the Secretary of the Interior and after he has entered into the repayment contracts required by section 4, that the Secretary of Agriculture shall take over the collection of repayments and other administrative duties connected with the project; (3) that no water shall be delivered to or for any land or party while the owner of said land or said party is in arrears for more than twelve months in the payment to the United States of money due and payable under a land contract entered into pursuant to section 5 (a); and (4) that any repayment contract with a water user or water users' organization entered into pursuant to section 4 and any land contract with the same water user or organization entered into pursuant to section 5 (a), if said contracts involve the same land, may be combined in a single instrument. The Secretary of Agriculture is hereby authorized to carry out the provision of any such cooperative agreements.

⊥ 1124

Arrearage penalty

Combination of contracts.

"SEC. 7. On any one project undertaken pursuant to the Act of August 28, 1937, entitled "An Act to promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes" (50 Stat. 869), as amended and supplemented, expenditures for the construction, maintenance, operation, rehabilitation or financial assistance of any one project, shall not exceed $50,000 of Federal funds, whether appropriated or allotted or both. All project facilities and appurtenances which depend for their utility in whole or in part upon each other or upon any common facility shall be deemed one project within the meaning of this section.

16 U. S. C., Supp. V, §§ 590r–590x.

Limitation on expenditures.

Combination of project facilities.

"SEC. 8. All payments made to the United States under repayment contracts on account of reimbursable construction costs, including penalties collected for delinquencies in such payments, and all other receipts from project operations pursuant to sections 4 and 9 shall be covered into the Treasury to the credit of miscellaneous receipts. Charges collected during the development period of a project under section 4 (c) (1), excepting such amounts thereof as may be credited to reimbursable construction costs, and charges collected for the operation and maintenance of a project under section 4 (c) (2) shall be available for expenditure for operation and maintenance of said project in like manner as if said funds had been specifically appropriated for said purposes.

Disposition of receipts from project operations.

Availability of certain funds.

"SEC. 9. In connection with any project undertaken pursuant to this Act, provisions, including contracts of sale, may be made for furnishing municipal or miscellaneous water supplies, or for developing and furnishing power in addition to the power requirements of irrigation: *Provided,* That expenditures from appropriations made directly pursuant to the authority contained in section 12 (1) to meet costs allocated to municipal or miscellaneous water supplies or surplus power shall not exceed $500,000 for any one project: *Provided further,* That no contract relating to a water supply for municipal or miscellaneous purposes or to electric power shall be made unless, in the judgment of the Secretary, it will not impair the efficiency of the project for irrigation purposes. On any project where such provisions are made, the Secretary shall allocate to municipal or miscellaneous water purposes or to surplus power the part of the estimated construction costs of the project which he deems properly so allocable; and such allocations shall not be included in the reimbursable construction costs covered by the repayment contract or contracts required under section 4. All right, title, and interest in the facilities provided for such municipal or miscellaneous ⊥ water supplies or surplus power and

Furnishing of water supplies, power, etc.

Provisos.

Limitation on expenditure.

Restriction on contracts.

Federal title.

⊥ 1125

Rates.

the revenues derived therefrom shall be and remain in the United States. Contracts for such municipal or miscellaneous water supplies or for such surplus power shall be at such rates as, in the Secretary's judgment, will produce revenues at least sufficient to cover the appropriate share of the annual operation and maintenance cost of the project and such fixed charges, including interest, as the Secretary deems proper. Contracts for the sale of surplus power shall be for periods not to exceed forty years and contracts for water supply for municipal or miscellaneous purposes shall be for such periods as the Secretary may determine and may include such renewal options as the Secretary deems desirable: *And provided further*, That in sales or leases of such power, preference shall be given to municipalities and other public corporations or agencies; and also to cooperatives and other nonprofit organizations financed in whole or in part by loans made pursuant to the Rural Electrification Act of 1936 and any amendments thereof.

Duration of contracts.

Preference in sales or leases.

49 Stat. 1363.
7 U. S. C., Supp. V, §§ 901–914.

"SEC. 10. (a) In connection with any project constructed pursuant to the provisions of this Act, the Secretary shall have the same authority, with regard to the utilization of lands owned by the United States, other than lands acquired under section 5 as he has in connection with projects undertaken pursuant to the Federal reclamation laws, Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto.

Authority of Secretary to utilize Federal lands.

43 U. S. C., ch. 12, Supp. V, ch. 12.

"(b) In connection with the construction or operation and maintenance of a project undertaken pursuant to the authority of this Act, the Secretary shall have with respect to construction and supply contracts, and with respect to the acquisition, exchange, and disposition of lands, interest in lands, water rights, and other property and the relocation thereof, the same authority, including authority to acquire lands and interests in land and water rights with titles and at prices satisfactory to him, which he has in connection with projects under the Federal reclamation laws.

Authority to acquire lands, etc.

"SEC. 11. The Secretary of the Interior and the Secretary of Agriculture are hereby authorized to perform any and all Acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying out their respective functions under this Act and for the purpose of carrying the provisions of this Act into full force and effect.

Administrative provisions.

"SEC. 12. To carry out the purposes of this Act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated (1) for the Department of the Interior such sums as may be necessary to carry out its functions under this Act, and (2) for the Department of Agriculture such sums as may be necessary to carry out its functions under this Act."

Appropriations authorized.

Approved, October 14, 1940.

[CHAPTER 876]

October 14, 1940
[H. R. 9980]
[Public, No. 853]
54 Stat. 1137

AN ACT

To revise and codify the nationality laws of the United States into a comprehensive nationality code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the nationality laws of the United States are revised and codified as follows:

Nationality Act of 1940.

TITLE I—SHORT TITLE

Short title.

SECTION 1. This Act may be cited as the Nationality Act of 1940.

* * *

⊥CHAPTER II—NATIONALITY AT BIRTH

⊥1138

Nationals and citizens of U. S. at birth

SEC. 201. The following shall be nationals and citizens of the United States at birth:

(a) A person born in the United States, and subject to the jurisdiction thereof;

(b) A person born in the United States to a member of an Indian, Eskimo, Aleutian, or other aboriginal tribe: *Provided*, That the granting of citizenship under this subsection shall not in any manner impair or otherwise affect the right of such person to tribal or other property;

(c) A person born outside of the United States and its outlying possessions of parents both of whom are citizens of the United States and one of whom has resided in the United States or one of its outlying possessions, prior to the birth of such person;

(d) A person born outside of the United States and its outlying possessions of parents one of whom is a citizen of the United States who resided in the United States or one of its outlying possessions prior to the birth of such person, and the other of whom is a national, but not a citizen of the United States;

(e) A person born in an outlying possession of the United States of parents one of whom is a citizen of the United States who resided in the United States or one of its outlying possessions prior to the birth of such person;

* * *

Approved, October 14, 1940.

[CHAPTER 895]

October 17, 1940
[H. R. 9972]
[Public, No. 868]
54 Stat. 1198

AN ACT

Authorizing the improvement of certain rivers and harbors in the interest of the national defense, and for other purposes.

Rivers and harbors. Improvements in interest of national defense.
Ante, p. 506.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized, to be prosecuted in the interest of the national defense under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans recommended in the respective reports hereinafter designated and subject to conditions set forth therein:

* * *

⊥1199

Modification of designated projects.

⊥SEC. 2. The following modifications of projects, involving no cost to the United States, in addition to that heretofore authorized, are hereby adopted and authorized to be prosecuted:

* * *

Central Valley project, Calif., reauthorization

The second proviso in section 2 of the Act of August 26, 1937 (50 Stat. 844, 850), authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, ⊥is hereby amended to read as follows: "*Provided further*, That the entire Central Valley project, California, heretofore authorized and established under the provisions of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115) and the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat. 1622), is hereby reauthorized and declared to be for the purposes of improving navigation, regulating the flow of the San Joaquin River and the Sacramento River, controlling floods, providing for storage and for the delivery of the stored waters thereof, for construction under the provisions of the Federal reclamation laws of such distribution systems as the Secretary of the Interior deems necessary in connection with lands for which said stored waters are to be delivered, for the reclamation of arid and

⊥1200

Purposes declared

semiarid lands and lands of Indian reservations, and other beneficial uses, and for the generation and sale of electric energy as a means of financially aiding and assisting such undertakings, and in order to permit the full utilization of the works constructed to accomplish the aforesaid purposes."

* * *

Approved, October 17, 1940.

[CHAPTER 906]

AN ACT

October 21, 1940
[S. 4338]
[Public, No. 875]
54 Stat. 1206

To amend the Act entitled "An Act to establish a Civilian Conservation Corps, and for other purposes", approved June 28, 1937, as amended.

Civilian Conservation Corps.
50 Stat. 320.
16 U. S. C., Supp. V, § 584g.
Terms of enrollment of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act entitled "An Act to establish a Civilian Conservation Corps, and for other purposes", approved June 28, 1937 (50 Stat. 319), as amended by the Act of May 12, 1938 (52 Stat. 349), is further amended by adding after the words "War veterans" in the second proviso of said section the following: "and Indians".

Approved, October 21, 1940.

[CHAPTER 921]

AN ACT

November 27, 1940
[S. 3133]
[Public, No. 882]
54 Stat. 1218

For the relief of the Cherokee Indian Nation or Tribe, and for other purposes.

Cherokee Indian Nation or Tribe.
Appropriation authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, the sum of $2,185.72 with interest at 5 per centum from June 30, 1919, to the date of the appropriation of the said sum herein authorized, which sum was appropriated by the Act of June 30, 1919 (41 Stat. pp. 21, 22), and by the terms of said Act was required to be "credited to the principal of the Cherokee school fund", a trust fund bearing interest at 5 per centum, but which said sum was erroneously deposited in the general fund of the Treasury as miscellaneous receipt, by miscellaneous receipt covering warrant Numbered 122, as of August 14, 1919.

Credit to Cherokee school fund.
Reimbursement of attorneys.

When appropriated said money shall be credited to the Cherokee school fund and the Secretary of the Treasury shall pay the said money to the surviving attorneys of the Cherokee Indian Nation or Tribe selected by them in pursuance to the Act of March 19, 1924 (43 Stat. p. 27), to reimburse in part said attorneys for expenses heretofore incurred in the preparation and prosecution of the claims of the said Cherokee Indian Nation or Tribe, brought under said Act of March 19, 1924, in the name of "The Cherokee Nation against the United States".

Approved, November 27, 1940.

PRIVATE LAWS OF THE SEVENTY-SIXTH CONGRESS, THIRD SESSION, 1940–1941

[CHAPTER 68]

AN ACT

March 18, 1940
[S. 2299]
[Private, No. 287]
54 Stat. 1250

For the relief of Hubert Richardson.

Hubert Richardson.
Land patent to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to issue patent on Western Navajo Indian Reservation Exchange selection 078942 filed on October 18, 1938, by Hubert Richardson in the district land office at Phoenix, Arizona, under the Act of May 23, 1930 (46 Stat. 378), as amended by the Act of February 21, 1931 (46 Stat. 1204), for lots 2, 3, and 4 of

section 22, township 29 north, range 9 east, Gila and Salt River base and meridian, upon the submission of satisfactory proofs covering both the offered and the selected lands, as required by section 2 of the Act of May 23, 1930, cited above, notwithstanding that the selected lands are within the boundaries of the Western Navajo Indian Reservation, and notwithstanding the provisions of the Act of June 14, 1934 (48 Stat. 960). The patent hereby authorized to be issued shall be subject to the provisions and conditions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended.

Provisions and conditions.
41 Stat. 1075.
16 U. S. C. § 818; Supp. V., § 818.

Approved, March 18, 1940.

[CHAPTER 418]

AN ACT

June 24, 1940
[S. 3352]
[Private, No. 393]
54 Stat. 1291

To amend the Act of August 27, 1935 (49 Stat. 2194), and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 27, 1935 (49 Stat. 2194), be, and the same is hereby, amended so as to allow the submission of claims by Indians thereunder at any ⊥time prior to June 30, 1941. The Comptroller General of the United States is directed to receive and settle any additional claims filed by Indians before said date and to reconsider all such claims which have been heretofore disallowed on account of failure to file them within the period of two years imposed by the Act.

Minnesota.
Time extended for filing certain Indian claims.

⊥1292

SEC. 2. Irrespective of the date of death or the sum involved or any contrary rule or practice with respect to payment of the claims, all amounts found due deceased Indians whose heirs have been determined by the Secretary of the Interior shall be paid to the appropriate superintendent or other bonded officer of the Indian Service for the benefit of the heirs, to be handled and accounted for by him with other moneys under this control in accordance with existing law and regulations. The amounts due deceased claimants whose heirs have not been thus determined shall be so paid upon applications therefore filed by the superintendent, for credit to the estates.

Amounts due deceased claimants.

SEC. 3. The superintendent of the Consolidated Chippewa Agency is hereby authorized to file claims for any and all claimants or heirs of claimants whose whereabouts cannot be determined after due and diligent search, and a verified certificate filed by the superintendent that such due and diligent search has been made, shall be sufficient condition precedent to the right to file any such claim.

Consolidated Chippewa Agency.
Unlocated claimants.

SEC. 4. Claims filed hereunder may be sworn to before a local postmaster or a superintendent or other officer of the Indian Service authorized to administer oaths.

Filing of claims; oaths.

Approved, June 24, 1940.

[CHAPTER 616]

AN ACT

July 11, 1940
[S. 3101]
[Private, No. 497]
54 Stat. 1336

For the relief of certain purchasers of, and entrymen upon, opened lands of certain Indian reservations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to reinstate any entry or purchase, in existence December 31, 1936, on the opened lands within the ceded areas of the Cheyenne River, Coeur d'Alene, Colville, Fort Berthold, Fort Peck, Pine Ridge, Rosebud, or Standing Rock Indian Reservations, or any of the Chippewa lands in Minnesota opened in accordance with the Act of January 14, 1889 (25 Stat. 642), that has been canceled in toto for failure of the claimant thereof to make payment of the purchase money and interest due, or any such entry canceled in part by relinquishment, upon the filing by the claimant in the proper

Indian reservations.
Reinstatement of certain entries or purchases.

Filing of application for reinstatement.

district land office within sixty days from the date of the enactment of this Act, an application for reinstatement accompanied by the full amount of money due under governing laws: *Provided*, That all other requirements of the laws under which the entry or purchase was made have been complied with.

Proviso.
Legal requirements

Approved, July 11, 1940.

PUBLIC LAWS OF THE SEVENTY-SEVENTH CONGRESS,
FIRST SESSION, 1941–1942

[CHAPTER 32]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1941, and for other purposes.

April 1, 1941
[H.R. 3836]
[Public Law 25]
55 Stat. 62

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1941.

TITLE I—GENERAL APPROPRIATIONS

* * *

167 ⊥ DEPARTMENT OF THE INTERIOR

* * *

168 ⊥ BUREAU OF INDIAN AFFAIRS

Payment to Cherokee Indians: For payment to the Cherokee Indian Nation or Tribe, as authorized by the Act of November 27, 1940 (51 Stat. 1218), entitled "An Act for relief of the Cherokee Indian Nation or Tribe, and for other purposes", $2,185.72, with interest at 5 per centum from June 30, 1919, to the date of this Act.

Purchase and transportation of Indian supplies: For additional amounts for expenses of purchase and transportation of goods and supplies for the Indian Service for the following fiscal years:

For 1937, $674.89;

For 1940, $120,000.

* * *

175 ⊥ TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

177 ⊥ AUDITED CLAIMS

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1938 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 113, Seventy-seventh Congress, there is appropriated as follows:

18 Stat. 110.

23 Stat. 254

* * *

178 ⊥ **Department of the Interior:**

* * *

179 ⊥ For pay of Indian police, $205.

For maintaining law and order on Indian reservations, $60.

For construction, and so forth, irrigation systems, Indian reservations (reimbursable), $4.

For support of Indians and administration of Indian property, $649.16.

For conservation of health among Indians, $435.56.

For Indian agency buildings, $1.60.

For Indian boarding schools, $75.22.

For agricultural and stock raising among Indians, $19.96.

For Civilian Conservation Corps (transfer to Interior, Indians), $69.62.

For Indian school support, $84.62.

For expenses of organizing corporations, $71.11.

For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), $14.62.

For Indian Service supply fund, $459.32.

For emergency conservation work (transfer to Interior, Indians, Act June 22, 1936), $68. 49 Stat. 1601.

For emergency conservation work (transfer to Interior, Indians, Act February 9, 1937), $339.40. 50 Stat. 10.

* * *

⊥(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1938 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of ⊥July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 30, Seventy-seventh Congress, there is appropriated as follows: ⊥83 Additional claims. 18 Stat. 110. ⊥84 23 Stat. 264.

* * *

Department of the Interior:

* * *

For support of Indians and administration of Indian property, $270.82.

⊥For conservation of health among Indians. $3.40. ⊥85

For emergency conservation work (transfer to Interior, Indians, Act February 9, 1937), $7.18. 50 Stat. 10.

For emergency conservation work (transfer to Interior, Indians, Act June 22, 1936), $7.34. 49 Stat. 1601.

* * *

Approved, April 1, 1941.

[CHAPTER 40]

AN ACT

April 5, 1941
[H. R. 2788]
[Public Law 28]
55 Stat. 92

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1942, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1942, namely: Independent Offices Appropriation Act, 1942. *Post*, pp. 396, 540, 683, 748.

* * *

⊥FEDERAL WORKS AGENCY ⊥104

* * *

⊥PUBLIC-LANDS HIGHWAYS

⊥110

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the Act of June 24, 1930 (23 U. S. C. 3), $1,000,000, to be immediately available and to remain available until expended, which sum is authorized for the fiscal year 1942 by section 7 of the Act of September 5, 1940 (Public, Numbered 780).

46 Stat. 805

54 Stat. 860
23 U.S.C. § 3b.

Total, Public Roads Administration, $126,000,000.

* * *

Approved, April 5, 1941.

[CHAPTER 41]

AN ACT

April 5, 1941
[H. R. 4124]
[Public Law 29]
55 Stat. 123

Making deficiency and supplemental appropriations for the national defense for the fiscal year ending June 30, 1941, and for other purposes.

Fifth Supplemental National Defense Appropriation Act, 1941.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiency and supplemental appropriations for the national defense for the fiscal year ending June 30, 1941, and for other purposes, namely:

* * *

⊥TITLE III—CIVIL NATIONAL DEFENSE ACTIVITIES

⊥129

Civil Activities National Defense Appropriation Act, 1941.

* * *

⊥DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

⊥130

Crow Reservation, Mont.
54 Stat. 420.

Improvement and maintenance, irrigation systems, Crow Reservation, Montana: For operation and maintenance of the irrigation systems on the Crow Reservation, Montana, fiscal year 1941, $2,000, to be added to the $35,000 appropriated for this purpose in the Interior Department Appropriation Act, 1941.

Natives in Alaska.
54 Stat. 425.
Post, p. 552.

Natives in Alaska: For an additional amount for education of natives in Alaska, fiscal year 1941, including the same objects and limitations specified under this head in the Interior Department Appropriation Act, 1941, $80,000.

* * *

Approved, April 5, 1941.

[CHAPTER 137]

AN ACT

May 28, 1941
[S. 1296]
[Public Law 78]
55 Stat. 207

To amend an Act entitled "An Act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor".

Navajo Indian Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 7, 1924 (43 Stat. 606), entitled "An Act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor", be, and the same is hereby, amended to read as follows:

Maintenance of highways.
Annual appropriations authorized.
Post, p. 328.

"There is hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, the sum of $20,000, or so much thereof as may be necessary for each fiscal year, to be expended under the direction of the Secretary of the Interior, for maintenance of that portion of the Federal-aid highway from Gallup,

New Mexico, to Shiprock, New Mexico, across the Navajo Indian Reservation and that portion of the State highway in New Mexico between Gallup, New Mexico, and Window Rock, Arizona, serving the Navajo Reservation, reimbursable from the tribal funds of the Indians of said reservation: *Provided*, That Indian labor shall be employed as far as practicable: *And provided further*, That if no funds are available no expenditure shall be made."

Provisos.

Approved, May 28, 1941.

[CHAPTER 138]

AN ACT

May 28, 1941
[H. R. 2672]
[Public Law 79]
55 Stat. 207

To authorize the Secretary of the Interior to enter into an agreement fixing boundary lines on Wind River Indian lands, Wyoming.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized in his discretion to determine and fix permanently the boundaries of allotted, tribal, and ceded Indian lands along the Big Wind River in sections 21, 22, 27, and 28, township 3 north, range 1 west, Wind River meridian, in Wyoming: *Provided*, That the Secretary of the Interior shall not act until all of the owners, white and Indian, shall have given their consent in writing to the permanent location of the boundaries so far as they affect their respective lands. The consent of the Shoshone and Arapahoe tribes as to tribal and ceded lands may be given by the tribal business council. The consent on behalf of the minors, Indians non compos mentis, and Indians who cannot be located after advertisement and reasonable search for not less than thirty days may be executed by the Superintendent in charge of the Wind River Indian Agency.

Wind River Indian lands, Wyo.
Fixing of boundary lines.

Proviso.
Consent of owners.

Approved, May 28, 1941.

[CHAPTER 139]

AN ACT

May 28, 1941
[H. R. 3362]
[Public Law 80]
55 Stat. 207

To amend the Act of May 24, 1940 (Public, Numbered 520, Seventy-sixth Congress).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of May 24, 1940 (Public, Numbered 520, Seventy-sixth Congress), entitled "An Act to authorize the purchase of certain lands ⊥adjacent to the Turtle Mountain Indian Agency in the State of North Dakota" be, and the same is hereby, amended by inserting in the third line of said Act, after the words "authorized to purchase", the words "publicly or", so that as amended Section 1 of said Act, exclusive of its enacting clause, will read:

Turtle Mountain Reservation, N. Dak.

⊥208

54 Stat. 219

"That the Secretary of the Interior be, and he is hereby, authorized to purchase publicly or privately owned lands and improvements within and adjacent to the Turtle Mountain Reservation, North Dakota, title to be taken in the United States of America in trust for the Indians of the Turtle Mountain Reservation. For the purpose of making the purchases herein authorized, the Secretary of the Interior is hereby authorized to use any available funds heretofore or hereafter appropriated pursuant to the authority contained in section 5 of the Act of June 18, 1934 (48 Stat. 984): *Provided*, That title to the land so purchased may, in the discretion of the Secretary of the Interior, be taken for the surface only: *Provided further*, That lands purchased under this authority shall not be allotted in severalty."

Purchase of lands, etc., for benefit of Indians.

25 U. S. C. § 465.

Provisos.

Approved, May 28, 1941.

[CHAPTER 140]

AN ACT

May 28, 1941
[H. R. 3514]
[Public Law 81]
55 Stat. 208

To authorize the Secretary of the Interior to effect an exchange of certain tribal land of the Santa Ysabel Indian Reservation, California, for other land of equal value.

Santa Ysabel Indian Reservation, Calif.
Exchange of land

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to effect an exchange of approximately one and eight-tenths acres of tribal Indian land of the Santa Ysabel Reservation, California, for a tract of privately owned land of approximately four and three-tenths acres of equal value: *Provided*, That such exchange shall be effected only when the Indians enrolled on said reservation shall have expressed their consent thereto, either in general council or through action of their duly recognized tribal governing body.

Proviso.

Title to land.

SEC. 2. Title to the land received in the exchange shall be satisfactory to the Secretary of the Interior and shall be taken in the name of the United States in trust for the Santa Ysabel Tribe of Indians; said land shall not be allotted to individual Indians and it shall remain nontaxable until otherwise provided by Congress. Title to the Indian land conveyed in the exchange shall be by patent in fee.

Approved, May 28, 1941.

[CHAPTER 142]

AN ACT

May 28, 1941
[H. R. 3987]
[Public Law 83]
55 Stat. 203

To provide relief for, and to promote the interests of, the landowners on the Uintah Indian irrigation project, Utah, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the action of the Secretary of the Interior, pursuant to the authority contained in the Act of June 22, 1936 (49 Stat. 1803), in the cancelation, deferment, and adjustment of irrigation charges against lands within the Unitah Indian irrigation project, Utah, is hereby confirmed as follows:

Uintah Indian irrigation project, Utah.
Cancelation, etc., of certain charges.
25 U. S. C. §§ 389-389e.

(a) The cancelation of $283,170.73 of unpaid construction assessment obligations and $28,875.37 of unpaid operation and maintenance assessment obligations carried on the books of the project: *Provided*, That such cancelations applying to lands, the owners of which are indebted to the United States for operation and maintenance costs, shall become effective only upon the payment of the indebtedness dealt with in subsection (c) of this section.

Proviso.

(b) The deferment until December 1, 1943, of the collection of $61,983.16 expended in drainage operations on said project; and

(c) The requirement for contracts with landowners covering $19,230.72 accrued operation and maintenance assessments, such contracts to provide for the payment of these assessments over a period of years.

Transfer of water rights.

SEC. 2. The Secretary of the Interior is hereby authorized to transfer water rights, with the consent of the interested parties, to other lands under said project and to make necessary contracts to effectuate such transfers.

Transfer of operation, etc., of canal systems.

SEC. 3. The Secretary of the Interior is hereby authorized to make contracts transferring the operation and maintenance of any canal system or systems under the said project to an irrigation district, or districts, formed pursuant to State law.

Appropriation authorized.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,682.59 for the following purposes:

Operation and maintenance assessments.

(a) To pay, for a period of not to exceed five years following the passage of this Act (not to exceed $1,000 in any one year), 34 per centum of the regular annual operation and maintenance assessments for class 4 lands in non-Indian ownership under the Redcap, Leland,

and Henry Jim Canals, and 90 per centum of such charges for class 5 lands in non-Indian ownership under said canals, $5,000: *Provided*, That no part of any money appropriated pursuant to this authorization shall be expended unless and until the owners of such lands shall have paid in full their respective shares of such assessments and shall have entered into an agreement with the Secretary of the Interior for the execution of soil rehabilitation programs on such lands; and

Proviso
Payment of owner's share.

(b) To reimburse certain individuals, or their heirs, for payments made covering lands erroneously assessed for irrigation purposes, $682.59, which amount shall be payable from collections made from water users on this project and covered into the Treasury pursuant to section 4 of the Permanent Appropriation Repeal Act of 1934.

Reimbursements.

48 Stat. 1227.
31 U. S. C. § 725c

⊥SEC. 5. In order to prevent the accumulation of delinquent project assessments or other charges against the non-Indian owned lands of the Uintah Indian irrigation project, the Secretary of the Interior is hereby authorized and directed to cause liquidation of all delinquent assessments or charges by taking such action as may be necessary, including the foreclosure of the Government's lien covering any such delinquent charges or by initiating such other procedure as may be legally available, which action may be taken by him at any time when in his judgment the best interests of the project would be served.

⊥210

Liquidation of delinquent charges.

Approved, May 28, 1941.

[CHAPTER 259]

AN ACT

June 28, 1941
[H. R. 4590]
[Public Law 136]
55 Stat. 303

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1942, namely:

Interior Department Appropriation Act, 1942.

OFFICE OF THE SECRETARY

* * *

⊥CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

⊥306

* * *

⊥For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, $800, and in addition there is hereby made available from any appropriations made for any of the following bureaus or offices of the Department not to exceed the following respective sums: Grazing Service, $250; Indian Service, $500; Bureau of Reclamation, $10,000; Geological Survey, $6,000; National Park Service, $2,200; General Land Office, $500; Bureau of Mines, $4,000.

⊥307

Purchase of books, etc.

Additional sums from specified appropriations.

* * *

⊥BUREAU OF INDIAN AFFAIRS

⊥311

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $585,370.

Post, pp. 552, 826.

Post, p. 833.

GENERAL EXPENSES

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, for the rental of office equipment and the purchase of

Traveling expenses, etc.

necessary supplies therefor, and for other necessary expenses of the Indian Service for which no other appropriation is available, $49,000.

Purchase of goods and supplies.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $799,720: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso.

Maintenance of law and order.

For maintaining law and order on Indian reservations, including pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, and including traveling expenses, supplies, and equipment, $265,340.

Lease, etc., of agency buildings.

For lease, purchase, construction, repair, and improvement of agency buildings, exclusive of hospital buildings including the purchase of necessary lands for agency purposes and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $212,000: *Provided*, That no part of this appropriation shall be available for the construction of any building the total cost of which is in excess of $1,500.

Proviso.

Tribal organizations, expenses.
Post, p. 833.
25 U. S. C. §§ 469, 478a, 478b, 48 U. S. C. §§ 358a, 362, 25 U. S. C. §§ 501–509.

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), as supplemented and amended by the Acts of June 15, 1935 (49 Stat. 378), May 1, 1936 (49 Stat. 1250), and June 26, 1936 (49 Stat. 1967), including personal services, purchase of equipment and supplies, not to exceed $3,000 for printing and binding, and other necessary expenses $70,000, of which not to exceed $17,000 may be used for personal services in the District of Columbia: *Provided*, That in the discretion of the Secretary of the Interior, not to exceed $3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work: *Provided further*, That no part of this appropriation shall be available for expenditure in that part of the State of New Mexico embraced in the Navajo Indian Reservation, and not to exceed $5,000 shall be available for expenditure in said State: *Provided further*, That no part of this appropriation shall be available to conduct elections in any reservation on any matter which has been previously voted upon there unless two years have elapsed.

Provisos.
Traveling allowances.

Expenditures in New Mexico.

Conduct of elections.

Vehicles, Indian Service: Not to exceed $495,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation (including the exchange of necessary parts and accessories in part payment for new parts and accessories) of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed $300,000 of applicable appropriations may be used for the purchase ⊥and exchange of motor-propelled passenger-carrying vehicles, and such vehicles shall be used only for official service, including the transportation of Indian school pupils.

⊥312

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Proviso.

INDIAN LANDS

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (48 Stat. 961), is hereby continued available for the same purposes until June 30, 1942. 48 Stat. 1033

Purchase of land for the Navajo Indians, Arizona (tribal funds): The unexpended balance of the appropriation of $40,000 from funds to the credit of the Navajo Tribe, contained in the Interior Department Appropriation Act, fiscal year 1939, for the purchase, in accordance with the provisions of the Act of June 14, 1934 (48 Stat. 961), of lands from the New Mexico and Arizona Land Company within the Navajo Indian Reservation, Arizona, is hereby continued available for the same purpose and under the same conditions until June 30, 1942. 52 Stat. 300

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, $20,000, payable from funds on deposit to the credit of the Navajo Tribe.

Purchase of land, Mescalero Indians, New Mexico (tribal funds): For the purchase of land, or interest therein and improvements thereon for the Apache Tribe of the Mescalero Reservation of New Mexico, $14,000, payable from funds on deposit to the credit of said Indians: *Provided*, That title to any land and improvements so purchased shall be taken in the name of the United States in trust for said Indians: *Provided further*, That no expenditure shall be made hereunder without the consent of the Mescalero tribal business committee. *Provisos.* Title to land. Expenditure subject to tribal consent.

Payment of judgment in the case of Luis M. Sanchez, and others, against United States (tribal funds): There is hereby appropriated from the tribal funds of the Indians of the Isleta Pueblo, New Mexico, so much as may be necessary to satisfy the judgment obtained by the plaintiff in the suit entitled Luis M. Sanchez, and others, against the United States, numbered 135 civil, in the United States District Court for the District of New Mexico: *Provided*, That title to the land and improvements thereon involved in said suit shall be vested in the United States in trust for the Pueblo of Isleta: *Provided further*, That use of the money for such purpose shall receive the approval of the governing authorities of the pueblo as required in section 5 of the Act of May 1, 1933 (48 Stat. 108). Case of Luis M. Sanchez, and others. *Provisos.* Title to land, etc. Approval of pueblo required.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition ⊥(except salaries and expenses of employees), in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 985), $325,000: *Provided*, That in addition to the amount herein appropriated, the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of $325,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the Act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created: *Provided further*, That no part of the sum herein appropriated or this contract authorization shall be used for the acquisition of land within the States of Arizona, Colorado, New Mexico, and Wyoming outside of the boundaries of existing Indian reservations. Acquisition of lands, etc. 1313. 25 U. S. C. § 465. *Provisos.* Authorized obligations. Restriction on use of funds.

The unexpended balance of the appropriation of $25,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for the payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to Restricted lands, taxes, etc. 50 Stat. 573.

restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, as authorized by the Act of June 20, 1936 (49 Stat. 1542), is hereby continued available for the same purposes until June 30, 1942.

25 U. S. C. § 412a.

Reimbursement for taxes paid on certain allotted lands

For payments to Indians, and to State, counties, or political subdivisions thereof in accordance with the provisions of the Act of June 11, 1940, entitled "An Act for the relief of Indians who have paid taxes on allotted lands for which patents in fee were issued without application by or consent of the allottees and subsequently canceled, and for the reimbursement of public subdivisions by whom judgments for such claims have been paid" (54 Stat. 298), $50,000.

25 U. S. C. § 352c.

Confederated Bands of Utes, Utah

54 Stat. 415.

Purchase of land, Confederated Bands of Utes, Utah (tribal funds): The unexpended balances of the amounts authorized to be expended by the Interior Department Appropriation Act for the fiscal year 1941 for the purchase of additional lands and improvements for the Confederated Bands of Ute Indians in Utah, are hereby continued available for the same purposes until June 30, 1942.

Fort Hall Indians, Idaho

Proviso.

Purchase of land, Fort Hall Indians, Idaho (tribal funds): For the purchase of land and improvements thereon for the Indians of the Fort Hall Reservation, Idaho, $18,000, payable from funds on deposit to the credit of said Indians: *Provided*, That title to any land and improvements so purchased shall be taken in the name of the United States in trust for the Indians of the Fort Hall Reservation.

Round Valley Reservation, Calif.

54 Stat. 415.

Purchase of land for the Indians of the Round Valley Reservation, California (tribal funds): The unexpended balance of the appropriation of $10,000, contained in the Interior Department Appropriation Act, 1941, for the purchase of land and improvements thereon for the Indians of the Round Valley Reservation, California, payable from funds on deposit to the credit of said Indians is hereby continued available until June 30, 1942.

Colville Reservation Wash.

53 Stat. 1314.

Purchase of land for the Indians of the Colville Reservation, Washington (tribal funds): The unexpended balance of the appropriation of $100,000 contained in the Third Deficiency Appropriation Act, fiscal year 1939, for the purchase of land and improvements thereon for the Colville Indians, Washington, payable from funds on deposit to the credit of said Indians, is hereby continued available until June 30, 1942.

1314

Minnesota Chippewa Tribe, Minn.

Proviso.

⊥Purchase of land for the Minnesota Chippewa Tribe, Minnesota (tribal funds): For the purchase of Indian-owned and non-Indian-owned lands, interest in lands, and chattels and improvements, $107,500, to be immediately available, payable from any funds on deposit to the credit of the Minnesota Chippewa Tribe: *Provided*, That title to all purchases made hereunder shall be taken in the name of the United States in trust for the Minnesota Chippewa Tribe.

Spokane Indians, Wash.

54 Stat. 416.

Purchase of land, Spokane Indians, Washington (tribal funds): The unexpended balance of the appropriation of $30,000, contained in the Interior Department Appropriation Act, 1941, for the purchase of Indian-owned and privately owned lands, improvements on lands, or any interest in lands, including water rights for Indians of the Spokane Reservation, Washington, payable from any funds on deposit to the credit of the Indians of said reservation is hereby continued available until June 30, 1942.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

Post, p. 833.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest

and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, $385,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso.
Limitation on use of funds.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands only from which such timber is sold, $117,000, reimbursable to the United States as provided in the Act of February 14, 1920 (25 U. S. C. 413), from the proceeds of timber sales: *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

Timber sales, etc., expenses.
Post, p. 833.

41 Stat. 415.
Proviso.
Rewards.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $15,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations shall be available upon the approval of the Secretary of the Interior, for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Suppression, etc., of forest fires.
Post, p. 826.

Provisos.
Additional amount available.

Report to Congress.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (25 U. S. C. 336, 371, 397), May 27, 1908 (35 Stat. 312), March 3, 1909 (25 U. S. C. 396), and other Acts authorizing the leasing of such lands for mining purposes, including not to exceed $5,000 for the purchase and exchange (not to exceed $2,000), maintenance, repair, and operation of passenger-carrying vehicles, and not to exceed $11,000 for personal services in the District of Columbia, $100,000.

Geological Survey.
Transfer of funds.

26 Stat. 794; 35 Stat. 783.

For the purpose of obtaining remunerative employment for Indians, $40,800.

Employment.
Post, p. 833.

⊥For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $705,000, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation, and not to exceed $5,000 may be used for defraying the expenses of Indian fairs, including premiums for exhibits.

1315

Development of agriculture and stock raising.
Post, p. 833.

Navajo Reservation, sheep-breeding station.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $150,000, which sum may be advanced to Indians for the purchase of seeds, animals, machinery, tools, implements, and other equipment and supplies; for advances to old, disabled, or indigent Indian allottees for their support; and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof: *Provided*, That except for the Navajo Indians in Arizona and New Mexico not to exceed $25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians: *Provided further*, That not to exceed $15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight

Loans to encourage industry, etc.

Provisos.
Limitation.

Advances for educational purposes.

years, under such rules and regulations as the Secretary of the Interior may prescribe.

Advances for home construction, etc.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $100,000, payable from tribal funds as follows: Fort Apache, Arizona, $50,000; Red Lake, Minnesota, $50,000 (from funds held in trust by the United States for said Indians pursuant to the Act of June 15, 1938 (52 Stat. 697); and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1941, are hereby continued available during the fiscal year 1942 for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1942 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved by the Secretary of the Interior, and revenues derived therefrom shall be covered into the Treasury to the credit of the respective tribes: *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under rules and regulations established for the making of ⊥loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Reappropriations 54 Stat. 417.

Provisos. Advances for educational purposes

Credits; availability.

Establishment, etc., of tribal enterprises

Loans from revolving loan fund

⊥316

48 Stat. 986.

Navajo sawmill, operation, etc.

Operation and maintenance, Navajo tribal sawmill (tribal funds): Not to exceed $165,000 of the funds on deposit to the credit of the Navajo Indians are hereby made available for advance to the Navajo Tribe for the operation and maintenance of the Navajo tribal sawmill enterprise: *Provided*, That revenue derived from the operation of the mill shall be available upon the request of the Secretary of the Interior for advance to the tribe for the same purposes.

Proviso. Use of revenue

Additional amount for revolving loan fund.

For an additional amount to be added to the appropriations heretofore made, for the establishment of a revolving fund for the purpose of making and administering loans to Indian-chartered corporations in accordance with the Act of June 18, 1934 (48 Stat. 986), and of making and administering loans to individual Indians and to associations or corporate groups of Indians of Oklahoma in accordance with the Act of June 26, 1936 (49 Stat. 1967), $250,000, of which amount not to exceed $25,700 shall be available for personal services in the District of Columbia, and $110,000 shall be available for personal services in the field, for traveling expenses of employees, for purchase of equipment and supplies, and for other necessary expenses of administering such loans, including not more than $3,500 for printing and binding: *Provided*, That interest or other charges heretofore or hereafter collected on loans shall be credited to said revolving fund and shall be available for the purposes of this paragraph.

25 U. S. C. § 470

25 U. S. C. § 506 Personal services

Proviso. Credits; availability

Development of Indian arts and crafts.

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat. 891), including personal services, purchase and transportation of equipment and supplies, purchase of periodicals,

25 U. S. C. §§ 305-305e.

directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, including payment of actual transportation expenses, not to exceed $2,500 for printing and binding, and other necessary expenses, $50,000, of which not to exceed $16,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $7,500 per annum.

Proviso.
Salary limitation.

DEVELOPMENT OF WATER SUPPLY

For the development, rehabilitation, repair, maintenance, and operation of domestic and stock water facilities on the Navajo Reservation in Arizona, New Mexico, and Utah, the Hopi Reservation in Arizona, the Papago Reservation in Arizona, and the several Pueblos in New Mexico, including the purchase and installation of pumping and other equipment, $110,000.

IRRIGATION AND DRAINAGE

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, $215,230, reimbursable, together with $28,500 operation and maintenance collections, from which latter amount ⊥expenditures for any one project shall not exceed the aggregate receipts from such project covered into the Treasury pursuant to section 4 of the Permanent Appropriations Repeal Act, 1934:

Limitation.

⊥317

48 Stat. 1227.
31 U. S. C. § 725c.

Miscellaneous projects, $16,500; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Fort Apache, $2,500; Navajo, miscellaneous projects, Arizona and New Mexico, $44,000, together with $11,500 (Fruitlands, $5,000; Ganado, $1,500; Hogback, $5,000), collections; Hopi, miscellaneous projects, $1,500; San Xavier, $2,000; California: Coachella Valley, $1,000; Morongo, $3,000; Pala and Rincon, $3,000, together with $500, collections; Colorado: Southern Ute, $10,000, together with $6,000, collections; Montana: Tongue River, $2,250, together with $1,000, collections; Nevada: Pyramid Lake, $3,000; Walker River, $5,500, together with $500, collections; Western Shoshone, $8,000, together with $2,000, collections; New Mexico: Miscellaneous Pueblos, $25,000; Oregon: Warm Springs, $3,500; Washington: Colville, $5,000, together with $5,000, collections; Lummi diking project, $500, together with $2,000, collections; and for necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $70,980: *Provided*, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods, and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Provisos.
Interchange of amounts.

Apportionment of costs.

San Carlos project, Ariz.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $75,000, reimbursable, together with $130,000 (operation and maintenance collections), and $220,000 (power revenues), of which latter sum not to exceed $24,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts, of $130,000 and $220,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $425,000.

48 Stat. 1227.
31 U. S. C. § 725c.

Pima Indians, Ariz.
Subjugation and cropping operations.

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed $200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Colorado River Indian Reservation, Ariz.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat. 273), $19,000, reimbursable, together with $19,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

San Carlos Reservation, Ariz.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, $5,000, to be paid from the funds held by the United ⊥States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited under such rules and regulations as the Secretary of the Interior may prescribe.

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Proviso.

Yuma Reservation, Calif.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $11,500, reimbursable.

Fort Hall irrigation systems, Idaho.

For improvements, maintenance, and operation of the Fort Hall irrigation systems, Idaho, $28,000, together with $25,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Belknap Reservation, Mont.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $15,200, reimbursable, together with $4,200, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project, Mont.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, $14,000, reimbursable, together with $3,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Blackfeet Indian Reservation, Mont.

For the improvement, maintenance, and operation of the irrigation systems on the Blackfeet Indian Reservation in Montana, $10,000, reimbursable, together with $11,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Flathead Reservation, Mont.

For operation and maintenance of the irrigation and power systems on the Flathead Reservation, Montana, $130,000 (operation and main-

tenance collections) and $80,000 (power revenues), from which amounts of $130,000 and $80,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $210,000.

48 Stat. 1227.
31 U. S. C. § 725c.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $5,000, reimbursable, together with $41,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Crow Reservation, Mont.

For payment to the Tongue River Water Users' Association, Montana, or the State Water Conservation Board of Montana, in accordance with the provisions of the Act approved August 11, 1939 (53 Stat. 1411), $9,750, reimbursable as provided in said Act.

Tongue River Water Users' Association, Mont., etc.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, $5,565, to be immediately available; in all, $10,946.

Newlands project, Nev.

Drains to Truckee-Carson district.

For operation and maintenance assessments on Indian lands, and the buildings and grounds of the Albuquerque Indian School, within the Middle Rio Grande Conservancy District, New Mexico, $8,257, of which amount $7,477 shall be reimbursed in accordance with existing law.

Albuquerque Indian School, N. Mex.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, Oregon, $2,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections in the Sand Creek and Modoc Points units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

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Klamath Reservation, Oreg.

48 Stat. 1227.
31 U. S. C. § 725c.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat. 375), $20,000, reimbursable, together with $38,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Uncompahgre, etc., Utes in Utah.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $150,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Yakima Reservation, Wash.
Wapato system.

For reimbursement to the reclamation fund for stored water to irrigate Indian lands on the Yakima Indian Reservation, Washington, pursuant to the Act of July 1, 1940 (54 Stat. 707), $20,000.

Reimbursement to designated fund.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat. 604), $11,000.

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro rata share of the cost of operation

Wind River Reservation, Wyo.

and maintenance of the Riverton-Le Clair irrigation district and the Big Bend drainage district on the ceded reservation, $25,000, reimbursable, together with $25,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Construction, repair, etc., of designated projects.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Arizona: Colorado River, as authorized by and in accordance with section 2 of the River and Harbor Act, approved August 30, 1935 (49 Stat. 1039, 1040), including the purchase of electrical energy and the distribution and sale thereof, $560,000; Navajo, Arizona, and New Mexico, $255,000; Salt River, $40,000;

California: Mission, $8,000; Sacramento, $26,700; Owens Valley (Carson Agency, Nevada), $10,000;

Colorado: Southern Ute, $15,000;

Montana: Crow, $45,000; Flathead, $250,000; Fort Belknap, $6,250; Fort Peck, $25,000;

Nevada: Carson, $17,000; Western Shoshone, $25,000; Walker River, $5,000; Pyramid Lake, $125,000;

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⊥New Mexico: Pueblo, $60,000;

Oregon: Warm Springs, $5,000;

Washington: Wapato, $210,000;

Wyoming: Wind River, $40,000;

Miscellaneous garden tracts, $45,000;

Surveys, investigations, etc.

For surveys, investigations, and administrative expenses, including personal services in the District of Columbia and elsewhere, and not to exceed $3,000 for printing and binding, $135,000;

Total, availability.

In all, $1,907,950, to be reimbursable in accordance with law, and to be immediately available, which amount, together with the unexpended balances of funds made available under this head in the Interior Department Appropriation Act, fiscal year 1941, shall remain available until completion of the projects when the unobligated balances shall revert to the general fund of the Treasury: *Provided,* That the foregoing amounts may be used interchangeably in the discretion of the Secretary of the Interior, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 per centum.

54 Stat. 422.

Proviso.
Interchange of amounts.

Hulah Dam and Reservoir project.
49 Stat. 1577.

In aid of the construction, maintenance, and operation of the Hulah Dam and Reservoir project on the Caney River, Oklahoma and Kansas, authorized by the Act of June 22, 1936 (49 Stat. 1571), as amended, for the control of floods in the Verdigris River Valley, the Osage Tribal Council be, and it hereby is, authorized, upon payment of just compensation therefor, and with the approval of the Secretary of the Interior, to release and relinquish to the United States of America such right, interest, and control in and over the minerals reserved to the Osage Tribe by the Act of June 28, 1906 (34 Stat. 539), as amended, as may be found by the Secretary of War to be necessary for the construction, maintenance, and operation of said Hulah Dam and Reservoir project. Construction of said project may be undertaken when the amount of money to be paid to the Osage Tribe as just compensation for the release and relinquishment herein authorized has been agreed upon by the Secretary of War, the Secretary of the Interior, and the Osage Tribal Council. The amount agreed upon as just compensation for the release and relinquishment herein author-

Release of minerals to U.S.

Payment of compensation.

ized shall be paid by the Secretary of War out of appropriations made for flood control, general, to the Secretary of the Interior for disbursement in the manner provided by section 4 of the Act of June 28, 1906 (34 Stat. 539), as amended, for the disbursement of royalties received from the leasing of minerals owned by the Osage Tribe.

EDUCATION

Support of Indian schools, etc.
Post, p. 833.

For the support of Indian schools not otherwise provided for, and for other Indian educational purposes, including apprentice teachers for reservation and nonreservation schools, educational facilities authorized by treaty provisions, care of Indian children of school age attending public and private schools, and tuition and other assistance for Indian pupils attending public schools, and for the support of Indian museums at Rapid City, South Dakota, and Browning, Montana, $5,961,590: *Provided*, That not to exceed $20,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That $60,000 of this appropriation shall be available for subsistence of pupils in reservation and nonreservation boarding schools during summer months: *Provided further*, That not more than $15,000 of the amount herein appropriated may be expended for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institu-⊥tions, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (41 U. S. C. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public and private schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient: *Provided further*, That not to exceed $10,000 of this appropriation may be used for printing and binding (including illustrations) in authorized Indian-school printing plants: *Provided further*, That no part of any appropriation in this Act for the Bureau of Indian Affairs shall be available for expenses of travel for the study of educational systems or practices outside the continental limits of the United States and the Territory of Alaska.

Provisos.
Deaf and dumb or blind, etc.

Subsistence of pupils during summer.

Vocational, etc., courses; tuition.

47 Stat. 1321.

Formal contracts not required.

Printing and binding.

Travel expenses, restriction.

Support of Indian schools from tribal funds: For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than $327,750, including not to exceed $58,750 for payment of tuition for Chippewa Indian children enrolled in public schools and care of children of school age attending private schools in the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat. 645): *Provided*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (41 U. S. C. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public schools, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Expenditure from tribal funds.

44 Stat. 560.

Chippewa Indian children attending schools in Minnesota.

Proviso.
Formal contracts not required.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $1,500, payable from funds held in trust by the United States for the Osage Tribe.

Education, Osage Nation, Okla.

For reimbursable loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, including

Vocational, etc., schools.

Loans for payment of tuition

25 U. S. C. § 471.
Provisios.
Liberal arts courses.

Reimbursement of advances.

colleges and universities offering recognized vocational, trade, and professional courses, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), and for apprentice training in manufacturing and other commercial establishments, $80,000: *Provided*, That not more than $50,000 of the amount available for the fiscal year 1942 shall be available for loans to Indian students pursuing liberal-arts courses in high schools and colleges: *Provided further*, That advances made under this authorization shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Buildings at Indian schools.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands for school purposes and the installation, repair, and improvement of heating, lighting, power, sewer, and water systems in connection therewith, and including not to exceed $15,000 for the purchase of materials for the use of Indian pupils in the construction of buildings (not to exceed $1,500 for any one building) at Indian schools not otherwise provided for, $373,200: *Provided*, That the foregoing appropriation, and appropriations in this Act for repairs and improvements at nonreservation boarding schools, shall be available to provide sponsor's contributions to ⊥projects for the construction, repair, or improvement of Indian school buildings approved by and carried on under funds of the Work Projects Administration or the National Youth Administration.

Proviso.
Availability of funds for sponsor's contributions.

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Nonreservation boarding schools.
Support, etc., of Indian pupils.
Post, p. 851.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Ariz.

Phoenix, Arizona: For five hundred pupils, including not to exceed $2,500 for printing and issuing school paper, $162,500; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,000; in all, $187,500;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $23,500; in all, $244,500;

Haskell Institute, Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For six hundred and twenty-five pupils, including not to exceed $2,500 for printing and issuing school paper, and not to exceed $6,000 for the purchase of printing equipment, $212,500; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $25,000; in all, $237,500;

Pipestone, Minn.

Pipestone, Minnesota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $112,750;

Carson City, Nev.

Carson City, Nevada: For five hundred and twenty-five pupils, $168,500; for pay of principal, drayage, and general repairs and improvements, $20,000; in all, $188,500;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For six hundred pupils, $204,000; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,000; in all, $229,000;

Santa Fe, N. Mex.

Santa Fe, New Mexico: For three hundred and eighty pupils, $134,900; for drayage, and general repairs and improvements, $15,000; in all, $149,900;

Wahpeton, N. Dak.

Wahpeton, North Dakota: For two hundred and seventy pupils, $88,100; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $101,100;

Chilocco, Okla.

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, and not to exceed $6,000 for the purchase of printing equipment, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $25,000; in all, $246,000;

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, $114,250; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $129,250;

Sequoyah Orphan Training School, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $57,525; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $64,525;

Carter Seminary, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $40,525; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $47,525;

Euchee, Okla.

Eufaula, Oklahoma: For one hundred and forty pupils, $48,650; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $55,650;

Eufaula, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $61,125; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $68,125;

Jones Academy, Okla.

⊥Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $45,050; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $52,050;

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Wheelock Academy, Okla.

Chemawa, Oregon: For four hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $152,250; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $172,250;

Chemawa, Oreg.

Flandreau, South Dakota: For four hundred and fifty pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $19,000; in all, $178,750;

Flandreau, S. Dak.

Pierre, South Dakota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $112,750;

Pierre, S. Dak.

In all, for above-named nonreservation boarding schools, not to exceed $2,577,625: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Proviso.
Interchange of amounts.

Report to Congress.

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools and for the repair of special Indian day schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $395,000, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That not to exceed $21,500 may be expended for the payment of salaries of public-school teachers, employed by the State, county, or district in special Indian day schools in full-blooded Indian communities, where there are not adequate white day schools available for their attendance.

Tuition for Indian pupils attending public schools, etc.
Post, p. 833.

Proviso.
Salaries of certain public-school teachers.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, $1,044,495, to be immediately available and to remain available until June 30, 1943: *Provided*, that a report shall be made to

Natives in Alaska.
Support, relief, etc.
Post, pp. 826, 833.

Proviso.
Report to Congress.

Congress covering expenditures from the amount herein provided for relief of destitution.

CONSERVATION OF HEALTH

Post, p. 833

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanitoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $25,000 for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged ⊥1324 in similar work and payment of traveling expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $5,359,805, including not to exceed $4,000,040 for the following-named hospitals and sanatoria:

Clinical surveys and general medical research.

Allotments to specified hospitals and sanatoria.

Arizona: Indian Oasis Hospital, $31,600; Kayenta Sanatorium, $52,960; Navajo Medical Center, $296,170; Phoenix Sanatorium, $111,540; Pima Hospital, $36,400; Truxton Canyon Hospital, $14,746; Western Navajo Hospital, $36,660; Chin Lee Hospital, $17,700; Fort Apache Hospital, $30,155; Hopi Hospital, $43,916; Leupp Hospital, $28,340; San Carlos Hospital, $33,260; Tohatchi Hospital, $19,120; Colorado River Hospital, $23,672; San Xavier Sanatorium, $46,432; Phoenix Hospital, $47,090; Winslow Sanatorium, $64,945;

California: Hoopa Valley Hospital, $29,736; Soboba Hospital, $27,112; Fort Yuma Hospital, $22,960;

Colorado: Ute Mountain Hospital, $16,152; Edward T. Taylor Hospital, $28,440;

Idaho: Fort Lapwai Sanatorium, $98,030; Fort Hall Hospitals, $15,080;

Iowa: Sac and Fox Sanatorium, $77,230;

Minnesota: Pipestone Hospital, $24,472; Cass Lake Hospital, $31,920; Fond du Lac Hospital, $26,560; Red Lake Hospital, $23,692; White Earth Hospital, $24,336;

Mississippi: Choctaw Hospital, $27,392;

Montana: Blackfeet Hospital, $50,372; Fort Peck Hospital, $27,180; Crow Hospital, $38,440; Fort Belknap Hospital, $38,908; Tongue River Hospital, $31,972;

Nebraska: Winnebago Hospital, $49,546;

Nevada: Carson Hospital, $28,972; Walker River Hospital, $27,036; Western Shoshone Hospital, $21,552;

New Mexico: Albuquerque Sanatorium, $111,915; Jicarilla Hospital and Sanatorium, $67,616; Mescalero Hospital, $25,220; Eastern Navajo Hospital, $63,200; Northern Navajo Hospital, $50,885; Taos Hospital, $17,000; Zuni Hospital, $33,000; Albuquerque Hospital, $53,472; Charles H. Burke Hospital, $30,476; Santa Fe Hospital, $45,192; Toadlena Hospital, $13,000;

North Carolina: Cherokee Hospital, $25,000;

North Dakota: Turtle Mountain Hospital, $46,700; Fort Berthold Hospital, $19,440; Fort Totten Hospital, $24,440; Standing Rock Hospital, $36,000;

Oklahoma: Cheyenne and Arapahoe Hospital, $37,476; Talihina Sanatorium and Hospital, $203,604; Shawnee Sanatorium, $112,940; Claremore Hospital, $83,620; Clinton Hospital, $23,080; Pawnee and Ponca Hospital, $43,032; Kiowa Hospital, $151,400; William W. Hastings Hospital, $76,715;

Oregon: Warm Springs Hospital, $20,720;

South Dakota: Crow Creek Hospital, $22,960; Pine Ridge Hospitals, $63,787; Rosebud Hospital, $54,740; Yankton Hospital, $24,736; Cheyenne River Hospital, $39,520; Sioux Sanatorium, $149,960; Sisseton Hospital, $37,440;

Utah: Uintah Hospital, $31,976;

Washington: Yakima Sanatorium, $42,216; Tacoma Sanatorium, $233,930; Tulalip Hospital, $12,600; Colville Hospital, $40,232;

Wisconsin: Hayward Hospital, $41,496; Tomah Hospital, $35,428;

Wyoming: Wind River Hospital, $32,080;

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount ⊥appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation: *Provided further*, That in the discretion of the Secretary of the Interior and under such rules and regulations as may be prescribed by him, fees may be collected from Indians for medical, hospital, and dental service and any fees so collected shall be covered into the Treasury of the United States.

Provisos.
Interchange of amounts.

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Contributions by nonreservation boarding schools.

Collection of fees.

Medical relief in Alaska.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $519,810, to be available immediately and to remain available until June 30, 1943.

Post, p. 826.

GENERAL SUPPORT AND ADMINISTRATION

Post, p. 833.

For general administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $2,615,720: *Provided*, That in the discretion of the Secretary of the Interior, and under such rules and regulations as may be prescribed by him, fees may be collected from individual Indians for services performed for them, and any fees so collected shall be covered into the Treasury of the United States.

Proviso.
Collection of fees.

Support, etc., of needy Indians.

For general support and rehabilitation of needy Indians in the United States, $1,150,000, of which amount not to exceed $1,000 shall be available for expenses of Indians participating in folk festivals, and not to exceed $57,500 shall be available for administrative expenses incident thereto, including personal services in the District of Columbia (not to exceed $12,500) and elsewhere, and printing and binding (not to exceed $250).

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, $90,740, to be immediately available, and to remain available until June 30, 1943.

Support of Indians, etc., under specified agencies.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona: Fort Apache, $60,000; Navajo, $14,900, including all necessary expenses of holding a tribal fair, erection of structures, awards

for exhibits and events, feeding of livestock, and labor and materials; Pima (Camp McDowell), $300; San Carlos, $60,000; Truxton Cañon, $10,000; in all, $145,200;

California: Mission, $39,900, of which amount $4,000 shall be available for payment of the salary and expenses of an agent employed under a contract approved by the Secretary of the Interior;

Colorado: Consolidated Ute (Southern Ute), $20,000, together with the unexpended balance of the appropriations under this head for the fiscal year 1941, including the purchase of land, the subjugation thereof, and the construction of improvements thereon;

54 Stat. 428, 1326

Idaho: Northern Idaho (Coeur d'Alene), $2,000, for the construction of a church;

Iowa: Sac and Fox, $1,500;

Minnesota: Consolidated Chippewa, $1,600 for salary and incidental expenses of the secretary of the tribal executive committee;

Montana: Flathead, $24,000;

Nevada: Western Shoshone, $2,000;

North Carolina: Cherokee, including the construction of a community building, $13,000;

Oklahoma: Pawnee (Ponca), $400; Seminole: The unexpended balance of the appropriation of $7,787 from tribal funds of the Seminole Indians, Oklahoma, contained in the Interior Department Appropriation Act, fiscal year 1940, for reconstruction of a community house, and continued available until June 30, 1941, by the Interior Department Appropriation Act, 1941, is hereby continued available for the same purposes until expended;

53 Stat. 708

54 Stat. 428.

Post, p. 552

Oregon: Klamath, $110,000, of which not to exceed $4,500 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary of the Interior in accordance with existing law;

Utah: Uintah and Ouray, $28,500 (Uintah, $11,000, of which amount not to exceed $4,000 shall be available for the payment of an agent employed under a contract approved by the Secretary of the Interior; Kaibab, $15,000; Paiute, $2,500);

Washington: Colville, $5,480; Puyallup, $1,000 for upkeep of the Puyallup Indian cemetery; Taholah (Makah), $9,500; Yakima, $1,300 (Yakima, $300; Lummi, $1,000); Tulalip, $1,000; Swinomish, $500; in all, $18,780;

Wisconsin: Keshena, $77,900, including $25,000, of which not exceeding $5,000 shall be available for general relief purposes and not exceeding $20,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends: *Provided*, That not to exceed $6,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee Advisory Council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs;

Proviso
Salaries, etc., of Menominee tribal officers

In all, not to exceed $484,780.

Shoshone Indians, Wyo.
Establishment of productive enterprises.
25 U. S. C. § 573(c).

Shoshone Indians, Wyoming (tribal funds): Pursuant to authority contained in section 3 (c) of the Act of Congress, approved July 27, 1939 (53 Stat. 1128), there is hereby made available until expended the balance remaining in the Shoshone judgment fund for the purposes and under the conditions set forth in said section.

Chippewa Indians, Minn.

Relief of Chippewa Indians in Minnesota (tribal funds): Not to exceed $35,000 of the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat. 645),

may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians including boarding-home care of pupils attending public or high schools.

Relief of needy Indians.

Relief of needy Indians: For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $100,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, United States Revised Statutes, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

1 327

Proviso.
41 U. S. C. § 5.
18 U. S. C. §§ 744a-744h.

Red Lake Indians, Minn.

Compensation and expenses of attorney, Red Lake Indians, Minnesota (tribal funds): For compensation and expenses of an attorney or attorneys employed by the Red Lake Band of Chippewa Indians under a contract approved by the Secretary of the Interior, $10,000, payable from any funds on deposit to the credit of said Indians, and the amount herein appropriated shall be available for compensation earned and expenses incurred during the period covered by said contract.

Five Civilized Tribes, Okla.
Expenses of tribal officers

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries of $3,000 each for the said governor, said chief, and said mining trustee, chief of the Creek Nation at $600 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Proviso.

Osage Agency, Okla.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, $184,080, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That not more than $1,800 may be used for the employment of a curator for the Osage Museum, which employee shall be an Osage Indian and shall be appointed without regard to civil-service laws and regulations upon the recommendation of the Osage tribal council: *Provided further*, That this appropriation shall be available, for traveling and other expenses, including not to exceed $5 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, of members of the tribal council and other members of the tribe, when engaged on tribal business, including visits to the District of Columbia when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Provisos.
Curator, Osage Museum

Traveling expenses, etc.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $5 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, and including not more than $15,000 for visits to Washington, District of Columbia, when duly authorized

or approved in advance by the Commissioner of Indian Affairs, $35,000, payable from funds on deposit to the credit ⊥of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than $5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in Washington, for more than a fifteen-day period, unless the Secretary of the Interior shall in writing approve a longer period.

⊥328
Provisos.
Limitation on expenditures.
Visits to Washington, D. C.

Yankton Sioux Indians, S. Dak.

Compensation and expenses of attorneys, Yankton Sioux Indians, South Dakota (tribal funds): Not to exceed $2,500 of the funds on deposit to the credit of the Yankton Sioux Indians, South Dakota, is hereby made available for the payment of the compensation and expenses of an attorney or attorneys employed by the Yankton Tribe under a contract approved by the Secretary of the Interior.

Makah Reservation, Wash.

Expenses of attorneys, Makah Reservation, Washington (tribal funds): Not to exceed $1,700 of the funds on deposit to the credit of the Makah Indians, Washington, is hereby made available for the fiscal years 1941 and 1942 for payment of the compensation and expenses of an attorney employed by the Makah Tribe under a contract executed August 7, 1940, and approved by the Secretary of the Interior in accordance with law.

Ponca Indians, Okla.

Expenses of attorneys, Ponca Indians, Oklahoma (tribal funds): Not to exceed $500 of the funds on deposit to the credit of the Ponca Indians, Oklahoma, is hereby made available for expenses of attorneys employed by the Ponca Tribe under a contract approved by the Secretary of the Interior, such sum to be available during the period of the contract.

Pawnee Indians, Okla.

Expenses of attorneys, Pawnee Indians, Oklahoma (tribal funds): Not to exceed $1,500 of the funds on deposit to the credit of the Pawnee Indians, Oklahoma, is hereby made available for expenses of an attorney employed by the Pawnee Tribe under a contract approved by the Secretary of the Interior, such sum to be available during the period of the contract.

Apache, Kiowa, and Comanche Indians, Okla.

Per capita payment to members of the Apache, Kiowa, and Comanche Indians in Oklahoma (tribal funds): The Secretary of the Interior is hereby authorized to withdraw as much as may be necessary from any available funds on deposit in the Treasury of the United States to the credit of the Apache, Kiowa, and Comanche Indians in Oklahoma, to make immediately therefrom a payment of not to exceed $20 to each member of the Apache, Kiowa, and Comanche Tribes living on the date of the approval of this Act, which payment shall be credited to the individual account of each Indian to be expended in accordance with the individual Indian money regulations prescribed by the Secretary of the Interior.

ROADS AND BRIDGES

Gallup-Shiprock Highway, N. Mex.
Ante, p. 207.
Proviso.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Reservation roads.

45 Stat. 750.
54 Stat. 870.
25 U. S. C. § 318b.
Provisos.
Personal services.
⊥329

Structures for housing road materials, etc.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (25 U. S. C. 318a), as supplemented and amended, and September 5, 1940 (Public, No. 780), $2,450,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed $12,000 of the foregoing amount may be expended for per-⊥sonal services in the District of Columbia: *Provided further*, That not to exceed $100,000 of this appropriation shall be available for purchase, lease, construction,

or repair of structures for housing road materials, supplies, and equipment, and for quarters for road crews but the cost of any structure erected hereunder shall not exceed $7,500.

CONSTRUCTION AND REPAIR

School, agency, hospital, etc., buildings and utilities.
Post, pp. 826, 833.

For the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way when necessary, and including the purchase of furniture, furnishings, and equipment, as follows:

Alaska: Quarters, $12,000; hospital and quarters, $250,000;

Blackfeet, Montana: Employee's dwelling, $7,500;

Carson, Nevada: General repairs and improvements, $25,000;

Cheyenne and Arapahoe, Oklahoma: Dormitory facilities, $75,000; employee's dwelling, $7,000;

Colorado River, Arizona: Employees' dwellings, $14,000;

Crow Creek, South Dakota: Employees' dwellings, $14,000; warehouse, $3,600; improvements to utilities, $28,000; general repairs and improvements, $10,000;

Five Civilized Tribes, Oklahoma: Dormitory facilities and quarters, Jones Academy, $75,000;

Flathead, Montana: Improvements to utilities, $13,000;

Fort Apache, Arizona: Remodeling and improving boarding school facilities, $28,000;

Fort Berthold, North Dakota: Improvements to utilities, $22,000; employee's dwelling, $7,500;

Hoopa Valley, California: Improvements to utilities, $25,000;

Hopi, Arizona: Improvements to utilities, $24,000;

Kiowa, Oklahoma: Remodeling dormitory, Riverside School, $20,000; dormitory facilities and quarters (Fort Sill School), $75,000; dormitory facilities and quarters (Riverside School), $75,000;

Klamath, Oregon: Employees' dwellings, $15,000;

Navajo, Arizona: Quarters and miscellaneous structures, $35,000;

Pima, Arizona: Employees' dwellings, $9,000;

Red Lake, Minnesota: Employee's dwelling, $7,500;

Sherman, California: Improvements to utilities, $25,000;

Tacoma, Washington: Sanatorium and general hospital plant, $800,000;

Warm Springs, Oregon: Employees' dwellings, $15,000;

Winnebago, Nebraska: Employees' building, $29,900;

Administrative expenses.

For administrative expenses, including personal services in the District of Columbia (not exceeding $60,000) and elsewhere; not to exceed $2,500 for printing and binding; purchase of periodicals, directories, and books of reference; purchase and operation of motor-propelled passenger-carrying vehicles; traveling expenses of employees; rent of office and storage space; telegraph and telephone tolls; and all other necessary expenses not specifically authorized herein, $130,000; in all, $1,877,000, to be immediately available and to remain available until completion of the projects when the unobligated balances shall revert to the general fund of the Treasury: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per ⊥centum by any such transfer: *Provided further*, That the appropriation made in the Third Deficiency Appropriation Act, 1939 (53 Stat. 1316), to provide Indian school and agency facilities at Inchelium, Washington, shall be available for the construction and equipment of school facilities without regard to the requirements of the proviso attached thereto.

Provisos.
Transfer of amounts.

⊥330

Inchelium, Wash., school facilities.

Minnesota public-school districts.

For cooperation with public-school districts in the State of Minnesota in the construction, extension, equipment, and improvement of

54 Stat. 707, 1020

public-school facilities as authorized by and in conformity with the Act of July 1, 1940 (Public, Numbered 696), and the Act of October 8, 1940 (Public, Numbered 804), $185,500, as follows: Independent School District Numbered 5, Cass County, $65,000; Naytahwaush, Independent School District Numbered 29, Mahnomen County, $19,000; Inger, District Numbered 6 (Deer River), Itasca County, $7,000; Lake Lena, District Numbered 2, Pine County, $12,500; Vermillion Lake, Tower-Soudan District, Saint Louis County, $7,000; Beaulieu, unorganized district, Mahnomen County, $12,500; Jack Pine, unorganized district, Clearwater County, $7,000; Nett Lake, unorganized district, Saint Louis-Koochiching Counties, $37,500; Pine Point, unorganized district, Becker County, $3,000; Squaw Point, unorganized district, Cass County, $15,000.

ANNUITIES AND PER CAPITA PAYMENTS

Senecas, N. Y.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Six Nations, N. Y.
7 Stat. 46.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla.
7 Stat. 69.
11 Stat. 614.
7 Stat. 213.
7 Stat. 212, 236.
7 Stat. 235.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Pawnees, Okla.
11 Stat. 729, 27 Stat. 644.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Indians of Sioux reservations.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $225,000.

Interest on trust funds, payments.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $725,000.

Availability of funds for purchase of supplies, etc.

Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including nonreservation boarding schools and for conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Indian Service.

1331

Travel expenses, etc.

⊥ Appropriations made for the Indian Service for the fiscal year 1942 shall be available for travel expenses of employees on official business; the purchase of ice, and the purchase of rubber boots for official use of employees.

Alaska.
Traveling expenses of new appointees.

The appropriations available for expenditure for the benefit of the natives of Alaska may be used for the payment of traveling expenses of new appointees from Seattle, Washington, or from any point within Alaska, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

* * *

⊥NATIONAL PARK SERVICE ⊥345

* * *

⊥Glacier National Park, Montana: For administration, protection, ⊥346
maintenance, and improvement, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $2,200 ⊥for the purchase, maintenance, operation, and repair of ⊥347
motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $218,805.

* * *

⊥Roads and Trails, National Park Service: For the construction, ⊥350
reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including the Boulder ⊥Dam National Rescreational Area, and other areas authorized to be ⊥351
established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (16 U. S. C. 8a and 8b), as amended, including the roads from Glacier 46 Stat. 1053
Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, to be immediately available and to remain available until expended, $3,000,000, of which not to exceed $2,250,000 shall be for the payment of obligations incurred under the contract authorization under this head in the Interior Department Appropria- 54 Stat. 150
tion Act, 1941: . . .

* * *

⊥FISH AND WILDLIFE SERVICE ⊥353

* * *

SALARIES AND EXPENSES

* * *

. . . and the unobligated balance of the appropriation remaining under the limitation of $120,000 for the establishment of stations in Arkansas and Mississippi, for the purchase of a fish-cultural station in Oklahoma, and for the further development of the stations at Lamar, Pennsylvania, and on Williams Creek, on the Fort Apache Indian Reservation in Arizona, contained in the Interior Department Appropriation Act, fiscal year 1941, under the head "Propagation of food 54 Stat. 454.
fishes", is continued available during the fiscal year 1942.

Construction of fish screens: For construction, operation, and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and supervision of construc-⊥tion ⊥354
of such screens and ladders; and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission in accordance with the provisions of the Federal Water Power Act (16 U. S. C. 791), 41 Stat. 1063.
$50,000. 16 U. S. C. §§ 791-825r.

* * *

⊥SEC. 6. Appropriations herein made for the following bureaus and ⊥360
offices shall be available for expenses of attendance of officers and ⊥employees at meetings or conventions of members of societies or Attendance at meetings, etc.
associations concerned with their work in not to exceed the amounts ⊥361
indicated: Office of the Secretary, $1,000; Grazing Service, $1,000; Petroleum Conservation Division, $1,000; General Land Office, $1,000; Bureau of Indian Affairs, $7,000; Bureau of Reclamation, $6,000; Geological Survey, $3,000; Bureau of Mines, $5,000; National Park

Service, $5,000; Fish and Wildlife Service, $5,750; and Soil and Moisture Conservation Operations (all bureaus), $4,000.

* * *

Approved, June 28, 1941.

July 1, 1941
[H.J. Res. 193]
[Public Law 143]
55 Stat. 396

[CHAPTER 266]

JOINT RESOLUTION

Making appropriations for work relief and relief for the fiscal year ending June 30, 1942.

Emergency Relief Appropriation Act, fiscal year 1942

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "Emergency Relief Appropriation Act, fiscal year 1942".

Ante, p. 104.

FEDERAL WORKS AGENCY

* * *

1399 GENERAL AND SPECIAL PROVISIONS

* * *

1401 SEC. 10.

* * *

. . . Effective on August 1, 1941, in employing or retaining in employment on Work Projects Administration work projects, preference shall be given to veterans of the World War and the Spanish-American War and veterans of any campaign or expedition in which the United States has been engaged . . .

War veterans, etc

* * *

Unmarried widows.

. . . and unmarried widows of any such veterans, and the wives of any such veterans who are unemployable, who have been certified as in need of employment by the Work Projects Administration or by any agency designated by it to so certify:

* * *

1402 . . . Thereafter preference in such employment shall be given on the basis of relative needs, as far as practicable, to other American citizens, Indians, and other persons owing allegiance to the United States who are in need.

* * *

Approved, July 1, 1941.

July 1, 1941
[H.R. 3735]
Public Law 114
55 Stat. 408

[CHAPTER 267]

AN ACT

Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1942, and for other purposes.

Department of Agriculture Appropriation Act, 1942

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture for the fiscal year ending June 30, 1942, namely:

* * *

1415 BUREAU OF ANIMAL INDUSTRY

SALARIES AND EXPENSES

* * *

1417 Eradicating cattle ticks: For the eradication of southern cattle ticks, $300,000:

* * *

. . .: *Provided further*, That not to exceed $5,000 of the amount

herein made available may be used to purchase and supply beef to the Seminole Indians of the Big Cypress Swamp area, Hendry County, Florida, during the time that deer infested with cattle ticks are being removed from said area and until such area is restocked with deer.

Purchase of beef for Seminole Indians, Fla.

* * *

Approved, July 1, 1941.

[CHAPTER 268]

AN ACT

July 1, 1941
[H. R. 4756]
[Public Law 115]
55 Stat. 446

Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1942, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch of the Government for the fiscal year ending June 30, 1942, namely:

Legislative Branch Appropriation Act, 1942.

SENATE

Post, pp. 541, 682, 747, 816.

* * *

⊥COMMITTEE EMPLOYEES ⊥447

* * *

Indian Affairs—clerk, $3,900; assistant clerk, $3,600 and $1,400 additional so long as the position is held by the present incumbent; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800.

* * *

⊥HOUSE OF REPRESENTATIVES

Post, pp. 541, 682, 747, 817.

* * * ⊥450

⊥COMMITTEE EMPLOYEES ⊥451

* * *

⊥. . . Indian Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. ⊥452

* * *

Approved, July 1, 1941.

[CHAPTER 273]

AN ACT

July 3, 1941
[H. R. 5166]
[Public Law 150]
55 Stat. 541

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes, namely:

Second Deficiency Appropriation Act, 1941.

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥552

* * *

BUREAU OF INDIAN AFFAIRS

Ante, p. 311.

Protection of project works: For all expenses necessary, fiscal year 1942, to provide protection against sabotage and other subversive

depredations, of dams, powerhouses, or other structures of the irrigation systems of the Indian Service, including employment of civilian guards, floodlights, gates, barricades, firearms, and ammunition, $45,000.

Ante, p. 130.

Natives in Alaska: For an additional amount for natives in Alaska, fiscal year 1941, including the objects specified under this head in the Interior Department Appropriation Act, 1941, to remain available until June 30, 1943, $60,000.

54 Stat. 425.

Medical relief in Alaska: For an additional amount for medical relief in Alaska, fiscal year 1941, including the objects specified under this head in the Interior Department Appropriation Act, 1941, to remain available until June 30, 1943, $20,000.

54 Stat. 427

Reindeer service: For an additional amount for reindeer service in Alaska, fiscal year 1941, including the objects specified under this head in the Interior Department Appropriation Act, 1941, to remain available until June 30, 1943, $3,000.

54 Stat. 427

Menominee Indians, Wis.

Compensation and expenses of attorney or attorneys for the Menominee Indians, Wisconsin (tribal funds): For compensation and expenses of an attorney or firm of attorneys employed by the Menominee Indians under a contract approved by the Secretary of the Interior in accordance with existing law, fiscal year 1942, $5,200, payable from funds on deposit to the credit of said Indians.

Klamath Reservation, Oreg.

Ante, p. 326.

Compensation and expenses of an attorney or attorneys for the Indians of the Klamath Reservation, Oregon (tribal funds): For compensation and expenses of an attorney or attorneys employed by the Indians of the Klamath Reservation, Oregon, under a contract or contracts approved by the Secretary of the Interior, $12,000, or so much thereof as may be necessary, payable from funds on deposit to the credit of said Indians: *Provided*, That the amount herein appropriated shall be available for compensation earned and expenses incurred during the period covered by the said contract or contracts.

Proviso.

Confederated Salish and Kootenai Tribes, Mont.

Compensation and expenses of attorneys, Confederated Salish and Kootenai Tribes, Montana (tribal funds): For compensation and expenses of any attorney or attorneys employed by the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, under a contract approved by the Secretary of the Interior on May 9, 1941, fiscal year 1942, $7,000, or so much thereof as may be necessary, payable from funds on deposit to the credit of such tribes.

Quinaielt Reservation, Wash.

Compensation of attorneys, Quinaielt Reservation, Washington: For payment to the attorneys of record for certain Quinaielt Indians, in accordance with the provisions of the Act of March 9, 1940 (54 Stat. 48), fiscal year 1941, $3,616.48.

⊥566

⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

⊥568

⊥AUDITED CLAIMS

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1938 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 206), as fully set forth in House Document Numbered 273, Seventy-seventh Congress, there is appropriated as follows:

18 Stat. 110.

23 Stat. 254

* * *

⊥Department of the Interior: ⊥569

* * *

For construction, and so forth, irrigation systems, Indian reservations (reimbursable), $166.02.

For purchase and transportation of Indian supplies, $5.83.

For support of Indians and administration of Indian property, $45.70.

⊥For Indian school support, $716.58. ⊥570

For conservation of health among Indians, $98.93.

For Civilian Conservation Corps (transfer to Interior, Indians), $137.27.

For emergency conservation work (transfer to Interior, Indians, Act February 9, 1937), $59.82. 50 Stat. 10

For emergency conservation work (transfer to Interior, Indians, Act June 22, 1936), $14.90. 49 Stat. 1601.

For maintenance, Hogback irrigation project, Navajo Reservation, New Mexico, 40 cents.

For emergency conservation fund (transfer from War to Interior, Indians, Act June 19, 1934), $24. 48 Stat. 1055

* * *

⊥Emergency Relief: ⊥571

* * *

For emergency relief, emergency conservation work, Interior, Indians, miscellaneous projects, Indian reservations, $20.

* * *

⊥(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund where the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1938 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 78, Seventy-seventh Congress, there is appropriated as follows: ⊥573 Additional claims. 18 Stat. 110. 23 Stat. 254.

* * *

Department of the Interior:

* * *

For Indian school support, $44.01.

For general expenses, Indian Service, $94.55.

For conservation of health among Indians, $76.89.

⊥For Indian boarding schools, 49 cents. ⊥574

For support of Indians and administration of Indian property, 59 cents.

For irrigation, Indian reservations (reimbursable), $2.26.

For expenses of organizing Indian corporations, $68.35.

For agriculture and stock raising among Indians, $65.63.

* * *

Approved, July 3, 1941.

[CHAPTER 299]

AN ACT

July 16, 1941
[S. 215]
[Public Law 175]
55 Stat. 593

To amend the Act entitled "An Act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes", approved June 28, 1938.

Ute Indians. Jurisdictional act, amendment. 52 Stat. 1210.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the

Act entitled "An Act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes", approved June 28, 1938, is hereby amended by striking out the words "anything in any other Acts of Congress to the contrary notwithstanding" and inserting in lieu thereof a period and the fol-⊥lowing: "Anything in other Acts of Congress to the contrary notwithstanding"; by striking out "range 35" wherever it appears in such section and inserting in lieu thereof the following: "township 35 north"; by striking out the word "of" following the word "ownership" appearing in the first proviso of the said section; and by striking out the word "constitutent" in section 1 and inserting in lieu the word "constituent".

⊥594

52 Stat. 1209

Approved, July 15, 1941.

[CHAPTER 301]

July 15, 1941
[H. R. 2308]
[Public Law 177]
55 Stat. 594

AN ACT

To ratify a lease entered into by certain Mission Indians of California.

Mission Indians, Calif.
Lease of land to Palm Springs, Calif., ratified

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a lease bearing date of December 8, 1939, between the Agua Caliente or Palm Springs Band of Mission Indians of California and the city of Palm Springs, California, in the following words, is hereby ratified and confirmed subject, however, to the conditions stated in section 2 hereof:

This indenture of lease executed at Palm Springs, California, as of the 4th day of December, 1939, by and between the Agua Caliente or Palm Springs Band of Mission Indians of California, the party of the first part hereinafter referred to as lessor and the City of Palm Springs, a municipal corporation of the State of California, the party of the second part, hereinafter referred to as lessee, both of said parties being within the County of Riverside, State of California.

⊥595

⊥Witnesseth, that the lessor hereby leases to the lessee the land and premises in the City of Palm Springs, County of Riverside, State of California, described as Section 18, Township 4 South, Range 5 East of the San Bernardino Base and Meridian, for a term of twenty-five year beginning on the first day of January, 1941, and ending on the 31st day of December, 1965, for the rental for said premises for said term which the lessee agrees to pay to the lessor which shall be ten percent of the gross receipts of the lessee for the use of said premises during said term, it being agreed, however, that the minimum rental which the lessee shall pay the lessor shall be the sum of $640.00 per annum, payable in advance on or before the 31st day of January of each year of the term of this lease, and that during the Month of January, 1942, and the month of January of each year thereafter of said term, the lessee shall furnish to the lessor a sworn statement of the gross receipts received by the lessee for the use of said premises for the preceding year, and on or before the 31st day of said month of January in each said year of the term of this lease the lessee shall pay to the lessor in addition to said sum of $640.00 an amount equal to ten percent of the excess, if any, of said receipts over and above the sum of $6,400.00.

The term gross receipts as used herein for the purpose of calculating the amount of said rental is herein defined as being all sums of money received by the lessee for the use of said premises for the purposes herein specified during each annual period of the term of this lease.

Said demised premises shall be used by the lessee and its sub-lessees for public airport and other uses and purposes.

Upon the termination of this lease by surrender by the lessee or by dispossession of the lessee by the lessor or by any authority superior

to the lessor, all rent and liabilities of the lessee accruing thereafter shall cease and the lessee may within a period of sixty days remove any and all improvements placed upon said premises during the term of said lease save and except buildings permanently affixed to the land, but, upon failure to remove same within that period, any improvements remaining thereon shall become the property of the Agua Caliente Band of Indians.

It is expressly understood and agreed by and between the parties hereto that the lessor does not assume any responsibility for damage caused, either directly or indirectly, by any operations of the lessee under this contract, and the lessee hereby agrees to hold the lessor harmless for any damage which may result from the operations of the lessee, or of its employees or agents under this lease, whether the acts causing such damage be negligent or otherwise.

The lessee must comply with all State, sanitary, health, and housing regulations.

The lessee agrees that it will not use, or permit to be used any part of the premises for the manufacture, sale, gift, storage, or drinking of intoxicating liquor or beverages, so long as these are prohibited by law upon the demised premises.

This lease may be cancelled by the lessor at the discretion of and with the approval of the Secretary of the Interior for failure of the lessee to comply with any of the terms thereof.

The rental herein required to be paid by the lessee to the lessor for the use of said premises during said term shall be paid to the legally authorized agent of the lessor entitled by law to receive the same and receipt therefor, and such payment shall be a full discharge of the lessee therefor.

It is agreed that the lessee may enter upon said premises immediately upon the lawful ratification and approval hereof, and prior to ⊥the beginning of said term for the purpose of improving and ⊥596
preparing said premises for use as an airport.

In witness whereof the parties hereunto have subscribed their names and affixed their seals as of the day first hereinabove mentioned. (Executed in quintuplicate—five copies.)

AGUA CALIENTE OR PALM SPRINGS BAND OF
MISSION INDIANS OF CALIFORNIA.

(By) Willie Marcus Belardo, Chairman; Lee Arenas, Vice-Chairman; Lena C. Welmas, Secretary; Juana S. Hatchitt, Member of Council; Clemente Segundo, Member of Council; Carrie Pierce Casero; Francisco Patencio; Viola J. Hatchitt; Frank Morro; John Joseph Andreas; John Joseph Patencio; John Anthony Andreas; Moreno Patencio; Ramon Manuel; Santos Albert Patencio; Eleteria Arenas Nicholson; Marcus J. Pete; Florida Patencio Roxey; Anna J. Pierce; Cecelia Patencio Roxey; Baristo Sol Santiago; Genevieve P. St. Marie; Virginia Patencio Siva; Ramalda Lugo Taylor; Augusta Patencio Torro; Matild Patencio Welmas; Frank Segundo.

CITY OF PALM SPRINGS, CALIFORNIA,

By PHILIP L. BOYD, Mayor.
GUY PINNEY, City Clerk.

I, Clemente Segundo, hereby certify that all the persons named as signers on the lease of the Agua Caliente or Palm Springs Band of Mission Indians for Section 18, Township 4 South, Range 5 East, Riverside County, California, are all duly enrolled and qualified members of said Band; that they have read or had read to them and interpreted to them said lease, made to the city of Palm Springs,

California; that they have expressed their understanding of the same and desire to have the same approved and put into effect for the mutual benefit of all, both the Indians and white residents of the said City. That the terms were explained and approved by all signers.

Witness my hand this 6th day of December, 1939.

CLEMENTE SEGUNDO.

I, Lena Welmas, hereby certify that I am the Acting Secretary for the Agua Caliente or Palm Springs Band of Mission Indians of California, and Secretary of the Acting Council. That I certify that all the persons named as signers of the foregoing described lease are Indians qualified to sign the same, and that the said lease has been thoroughly discussed, and read, and explained, particularly to those who could not read or understand the English language. Particular care has been exercised to give a thorough explanation to those not understanding the English language. That I have personally seen to giving full explanations as to the same.

Witness my hand and seal this 6th day of December, 1939, at Palm Springs, California.

LENA C. WELMAS.

Approved.

WILLIE MARCUS BELARDO, Chairman.

Conditions to ratification

SEC. 2. No assignment of the foregoing lease shall become effective until approved by the Secretary of the Interior or his authorized representative, and all revenues payable to the Agua Caliente or Palm Springs Band of Mission Indians under the terms of said lease or any assignment thereof shall be remitted to the superintendent or other officer in charge of the Agua Caliente or Palm Springs reservation, [596] and distributed in per capita payments as authorized by section 2 of the Act of August 25, 1937, Public, Numbered 375, Seventy-fifth Congress. [50 Stat. 811]

The construction, maintenance, and operation of any airport on the land covered by said lease shall conform to such requirements as may be prescribed by the Civil Aeronautics Authority.

Approved, July 15, 1941.

[CHAPTER 334]

July 30, 1941
[S. 1120]

AN ACT

[Public Law 198]
55 Stat. 612

For the acquisition of Indian lands for the Central Valley project, and for other purposes.

Central Valley project, Calif.
Acquisition of Indian lands for

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in aid of the construction of the Central Valley project, authorized by the Acts of April 8, 1935 (49 Stat. 115), and August 26, 1937 (50 Stat. 850), there is hereby granted to the United States, subject to the provisions of this Act, (a) all the right, title, and interest of the Indians in and to the tribal and allotted lands within the area embraced by the Central Valley project, including sites of agency and school buildings and related structures, as may be designated therefor by the Secretary of the Interior from time to time, and (b) such other interests in or to any of such lands and property as may be required and as may be designated by the Secretary of the Interior from time to time for the construction of reservoirs, canals, ditches, pipe lines, highways, railroads, telegraph, telephone, and electric-transmission lines in connection with the project, or for the relocation or reconstruction of such facilities made necessary by the construction of the project.

Compensation for lands, etc.

SEC. 2. As lands or interests in lands are designated from time to time under this Act, the Secretary of the Interior shall determine the amount of money to be paid to the Indians as just and equitable

compensation therefor. As to the tribal lands, the amounts so determined shall be transferred in the Treasury of the United States from the funds now or hereafter made available for the construction of the Central Valley project to the credit of the appropriate tribe pursuant to the provisions of the Act of May 17, 1926 (44 Stat. 560). The amounts due individual landowners or their heirs or devisees shall be paid from funds now or hereafter made available for the construction of said project to the superintendent of the appropriate Indian Agency or such other officer as shall be designated by the Secretary of the Interior for credit on the books of such agency to the accounts of the individuals concerned.

25 U. S. C. § 162.

SEC. 3. Funds deposited to the credit of allottees, their heirs, or devisees may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements, or the relocation of existing improvements or construction of new improvements on the lands so acquired for the allottees or heirs whose lands and improvements are acquired under the provisions of this Act. Lands so acquired shall be held in the same status as those from which the funds were derived, and shall be nontaxable until otherwise provided by Congress.

Use of funds for other acquisitions.

SEC. 4. As to any Indian cemetery lands required for the project, the Secretary of the Interior is authorized, in his discretion, in lieu ⊥of requiring payment therefor, to establish cemeteries on other lands that he may select and acquire for the purpose, and to remove bodies, markers, and other appurtenances of the new sites. All costs incurred in connection with any such relocation shall be paid from moneys appropriated for the project. All right, title, and interest of the Indians in the lands within any cemetery so relocated shall terminate and the grant of title under this Act take effect as of the date the Secretary of the Interior authorizes the relocation. Sites of the relocated cemeteries shall be held in trust by the United States for the appropriate tribe, or family, as the case may be, and shall be nontaxable.

Indian cemetery lands.

SEC. 5. The Secretary of the Interior is hereby authorized to perform any and all acts and to prescribe such regulations as he may deem appropriate to carry out the provisions of this Act.

Authority of Secretary of Interior.

Approved, July 30, 1941.

[CHAPTER 356]

AN ACT

August 16, 1941
S. 1626]

To reserve a certain part of the public land in California for the benefit of the Rincon Band of Mission Indians.

[Public Law 207, 55 Stat. 622

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to all valid existing rights and claims, the following-described lands of the United States be, and the same are hereby, withdrawn from entry, sale, or other disposition and set aside as an addition to the Rincon Indian Reservation in California: The north half, excepting that portion included in the Pauma Rancho, southeast quarter, north half southwest quarter, southeast quarter southwest quarter, section 25, northwest quarter southwest quarter, south half southwest quarter, southwest quarter southeast quarter, section 27, west half, northwest quarter northeast quarter, south half northeast quarter, section 34, township 10 south, range 1 west, San Bernardino meridian: *Provided*, That until otherwise directed by Congress none of said lands shall be allotted in severalty or shall be subject to taxation.

Rincon Indian Reservation, Calif.
Addition of certain lands.

Description.

Proviso.

Approved, August 16, 1941.

[CHAPTER 368]

August 18, 1941
[H. R. 1606]
[Public Law 219]
55 Stat. 632

AN ACT

For the protection of walruses in the Territory of Alaska.

Protection of walruses in Alaska.
Penalty for possession, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever, within the Territory of Alaska or in or on any of the waters thereof, shall take, possess, sell, barter, purchase, or export, at any time or in any manner, any walrus, alive or dead, or any part thereof, except as hereinafter in this section provided, shall be fined not more than [1]$500 or imprisoned not more than six months, or both: *Provided*, That walruses may be taken at any time by natives for food and clothing for themselves and by miners or explorers or any other person when in need of food and other food is not available, and the skins, hides, tusks, or ivory of walruses so taken may be possessed, sold, bartered, or purchased in the Territory and said tusks or ivory, when carved or otherwise manufactured or processed in the Territory, may be exported therefrom: *Provided further*, That the Secretary of the Interior is authorized to permit the taking, possession, and export of walruses or parts thereof for scientific or educational purposes under special permits to be issued by him under such restrictions and conditions as he shall prescribe.

[1] 633
Provisos.
Taking for food and clothing.

For scientific purposes.

Enforcement of act.

SEC. 2. That it shall be the duty of all marshals and deputy marshals, collectors and deputy collectors of customs, officers of the Coast Guard, and law-enforcement officers of the Fish and Wildlife Service and the Alaska Game Commission of the Department of the Interior to enforce this Act and they shall have, with respect to such enforcement, all the powers and authority conferred by the second paragraph of section 5 of the Alaska Game Law of January 13, 1925 (43 Stat. 739), as amended by the Acts of February 14, 1931, and June 25, 1938 (46 Stat. 1111 and 52 Stat. 1169, respectively), upon the officers therein mentioned; and all guns, traps, nets, boats, dogs, sleds, implements, or other paraphernalia used in or in aid of a violation of this Act, and any walrus, or part thereof, taken, possessed, sold, bartered, purchased, or exported contrary to this Act, shall be seized by the officers authorized to enforce this Act, and upon conviction of the offender or upon judgment of a court of the United States that the same were being used or were taken, possessed, sold, bartered, purchased, or exported contrary to the provisions of this Act, shall be forfeited to the United States and disposed of as directed by the court having jurisdiction, and if sold the proceeds of sale, less any expenses incurred in and about the seizure and forfeiture thereof, shall be deposited in the Treasury to the credit of miscellaneous receipts.

43 Stat. 741
48 U. S. C. § 192

Definitions.

SEC. 3. That as used in this Act "whoever" includes individuals, associations, partnerships, and corporations; "take" includes also pursue, hunt, shoot, wound, kill, capture, trap, or willfully molest or disturb; "export" means transportation or offering for transportation from the Territory of Alaska or any of the waters thereof to any place outside said Territory or waters; and "natives" means Eskimos, Aleuts, and other aborigines of one-half or more Eskimo, Aleut, or other aboriginal blood.

Acts repealed.

SEC. That all other Acts or parts of Acts insofar as they relate to walruses in the Territory of Alaska or in or on any of the waters thereof are hereby repealed.

Approved, August 18, 1941.

[CHAPTER 419]

September 24, 1941
[S. 1725]
[Public Law 257]
55 Stat. 731

AN ACT

To authorize the sale of certain Indian lands to the city of Cut Bank, Montana.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That the Secretary of the Interior, under such regulations as he may prescribe, is authorized to sell to the city of Cut Bank, Montana, all right, title, and interest of the United States and of certain individual Indians of the Blackfeet Tribe of Indians, upon obtaining the consent of such individual Indians to such sale, in and to the following-described lands within the Blackfeet Indian Reservation, Montana:

Cut Bank, Mont.
Sale of certain Indian lands.

Southwest quarter southwest quarter section 14; southwest quarter and south half southeast quarter and northeast quarter southeast quarter section 15; southwest quarter northwest quarter, northeast quarter northwest quarter, northeast quarter, northwest quarter southeast quarter section 22; and the west half northwest quarter section 23, all in township 33 north, range 6 west, M. M., Montana.

Description.

SEC. 2. Such portion of the proceeds derived from such sale as represents the value of the right, title, or interest of any such individual Indian in any such lands shall be paid to the Superintendent of the Blackfeet Indian Agency for deposit to the credit of such individual Indian.

Deposit of proceeds.

SEC. 3. Any patent or other instrument conveying to such city of Cut Bank any of the above-described land shall expressly exclude from such conveyance any oil, gas, or other mineral deposits therein: *Provided*, That the development of any mineral deposits so reserved, which would in any manner interfere with the use of such lands for airport purposes, shall not be permitted or indulged in so long as the lands herein described are needed for airport purposes.

Reservation of mineral deposits.

Proviso.

Approved, September 24, 1941.

[CHAPTER 470]

AN ACT

November 15, 1941
[H. R. 2665]
[Public Law 291]
55 Stat. 761

To provide for apportioning Representatives in Congress among the several States by the equal proportions method.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 22 of the Act entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress", approved June 18, 1929, as amended, is amended to read as follows:

Apportionment of Representatives in Congress.
46 Stat. 26.
2 U. S. C. § 2a.

"SEC. 22. (a) On the first day, or within one week thereafter, of the first regular session of the Eighty-second Congress and of each fifth Congress thereafter, the President shall transmit to the Congress a statement showing the whole number of persons in each State, excluding Indians not taxed, as ascertained under the seventeenth and each subsequent decennial census of the population, and the number of Representatives to which each State would be entitled ‖ under the apportionment of the then existing number of Representatives by the method known as the method of equal proportions, no State to receive less than one Member.

Statement of number of persons in each State, etc.

‖ 1762

"(b) Each State shall be entitled, in the Eighty-third Congress and in each Congress thereafter until the taking effect of a reapportionment under this section or subsequent statute, to the number of Representatives shown in the statement required by subsection (a) of this section, no State to receive less than one Member.

Number of Representatives to which each State entitled.

* * *

Approved, November 15, 1941.

AN ACT

November 15, 1941
[S. 633]
[Public Law 293]
55 Stat. 763

To amend the Criminal Code in respect to fires on the public domain or Indian lands or on certain lands owned or leased by, or under the partial, concurrent, or exclusive jurisdiction of the United States.

Criminal Code, amendments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 52 of the Criminal Code (Act of March 4, 1909, sec. 52; 35 Stat. 1098, United States Code, title 18, sec. 106) is hereby amended to read as follows:

Setting fire to timber, etc., on designated lands

"SEC. 52. Whoever shall willfully and without authority so to do set on fire or cause to be set on fire any timber, underbrush, or grass or other inflammable material upon the public domain or upon any lands owned or leased by or under the partial, concurrent, or exclusive jurisdiction of the United States which are included in a park, forest, monument, historical park, military park, battlefield site, ⊥parkway, recreational area, seashore, lake shore, cemetery, recreational demonstration project, wildlife refuge, grazing district, or stock driveway, or upon any land title to which was revested in the United States under the Act of June 9, 1916 (39 Stat. 218), or upon any land reconveyed to the United States under the Act of February 26, 1919 (40 Stat. 1179), or upon any lands owned by the United States and under the jurisdiction of the Forest Service or the Bureau of Animal Industry or administered under title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525), or upon any lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the Act of March 1, 1911 (36 Stat. 961), as amended, or title III of the said Bankhead-Jones Farm Tenant Act, or under statutory authority for addition to a park or wildlife refuge or upon any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under authority of the United States, or upon any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, unless an allottee sets or causes to be set any fire in the reasonable exercise of his proprietary rights in the allotment, shall be fined not more than $5,000 or imprisoned not more than five years, or both."

1764

7 U. S. C. §§ 1010–1013.

16 U. S. C. §§ 513–519, 521.

Punishment

SEC. 2. Section 53 of the Criminal Code, as amended (Act of June 25, 1910, sec. 6, 36 Stat. 857; United States Code, title 18, sec. 107), is hereby amended to read as follows:

Failing to extinguish fires

"SEC. 3. Whoever shall build a fire or cause a fire to be built in or near any forest, timber, or other inflammable material upon any lands owned, controlled or leased by, or under the partial, concurrent, or exclusive jurisdiction of the United States, including lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the Act of March 1, 1911 (36 Stat. 961), as amended, or under title III of the Jones Farm Tenant Act (50 Stat. 522, 525), or under statutory authority for addition to a park or wildlife refuge, any Indian reservation, or lands belonging to or occupied by any tribe or group of Indians under the authority of the United States, or any Indian allotment while the title to the same shall be held in trust by the United States or while the same shall remain inalienable by the allottee without the consent of the United States, shall before leaving said fire, totally extinguish the same; and whoever shall neglect and omit totally to extinguish said fire or whoever shall permit or suffer said fire to burn or spread beyond his control or whoever shall leave or suffer said fire to burn unattended in such places, shall be fined not more than $500 or imprisoned not more than six months without hard labor, or both."

16 U. S. C. §§ 513–519, 521.

7 U. S. C. §§ 1010–1013

Punishment

Approved, November 15, 1941.

November 10, 1941
[S. 1840]
[Public Law 295]
55 Stat. 765

[CHAPTER 474]

AN ACT

To supplement the Federal Aid Road Act, approved July 1, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act the term "strategic network of highways" means all existing or proposed highways which conform to routes designated on the diagrammatic map of principal highway traffic routes of military importance dated October 25, 1940, revised to May 15, 1941, and approved by the Secretary of War. The Federal Works Administrator is authorized to designate existing or proposed highways conforming to such approved routes and interconnections as lines of the strategic network of highways. The location of any strategic highway route between control points shown on the revised diagrammatic map of May 15, 1941, may, without regard to State lines, be changed by the Federal Works Administrator, but no such change shall increase the length of such route between the termini of such change by more than 10 per centum.

Defense Highway Act of 1941.
"Strategic network of highways."

Changing locations of routes.

* * *

SEC. 4. STRATEGIC HIGHWAY NETWORK.—(a) For carrying out projects to correct critical deficiencies in lines of the strategic network of highways and bridges, during the continuance of the emergency declared by the President on May 27, 1941, there is hereby authorized to be appropriated the sum of $25,000,000. Such sum shall be immediately apportioned among the States in accordance with the provisions of section 21 of the Federal Highway Act, as amended and supplemented, and shall be expended in accordance with the provisions of such Act, as amended and supplemented: *Provided*, That during the continuance of the emergency declared by the President on May 27, 1941, when funds heretofore, herein, or hereafter made available for expenditure in accordance with the provision of the Federal Highway Act, as amended and supplemented, on the system of Federal-aid highways, or on secondary or feeder roads, are expended for any project on the strategic network of highways, including all such projects under construction during the period of said emergency, the Federal share payable on account of any such project shall be increased to three-fourths of the total cost thereof, plus a percentage ⊥of the remaining one-fourth of such cost in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, equal to the percentage that the area of such lands in such State is of its total area.

Correction of critical deficiencies.
Appropriation authorized.
6 F R. 2617.

42 Stat. 217.
23 U. S. C. § 21.

Proviso.

Increase of Federal share in certain States.

⊥766

* * *

Approved, November 19, 1941.

[CHAPTER 591]

AN ACT

December 17, 1941
[H. R. 6158]
[Public Law 353]
55 Stat. 810

Making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes, namely:

Third Supplemental National Defense Appropriation Act, 1942.

* * *

⊥TITLE III—GENERAL APPROPRIATIONS

⊥816

* * *

⊥DEPARTMENT OF THE INTERIOR

⊥826

* * *

BUREAU OF INDIAN AFFAIRS

Ante, p. 311.

Suppressing contagious diseases of livestock on Indian reservations:

Sells Agency, Ariz.

For all necessary expenses incidental to the suppression of contagious diseases among livestock of Indians under the jurisdiction of the Sells Agency, Arizona, including payment of indemnities for stock destroyed, fiscal year 1942, $100,000, to remain available until June 30, 1943.

Ante, p. 314 Suppressing forest fires on Indian reservations: For an additional amount for the suppression or emergency prevention of forest fires on or threatening Indian reservations, fiscal year 1942, $80,000.

Ante, p. 329. Construction and repair: For an additional amount for the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of furniture, furnishings, and equipment, as follows:

Colville, Washington: Garage and shop building, $25,000, to remain available until completion of the project when the unobligated balance shall revert to the general fund of the Treasury.

Natives in Alaska: For an additional amount for natives in Alaska, fiscal year 1942, including the objects specified under this heading in the Interior Department Appropriation Act, 1942, $50,000, to remain available until June 30, 1943.

Ante, p. 323

Medical relief in Alaska: For an additional amount for medical relief in Alaska, fiscal year 1942, including the objects specified under this heading in the Interior Department Appropriation Act, 1942, $15,000, to remain available until June 30, 1943.

Ante, p. 325

1830 ⊥TITLE IV—CLASSIFICATION ACT SALARY ADVANCEMENTS

Ante, p. 613
42 Stat. 1488
5 U. S. C. §§ 661–674
6 F. R. 4583, 3877

For supplemental appropriations for the fiscal year ending June 30, 1942, on account of the enactment of the Act of August 1, 1941 (Public Law Numbered 200, Seventy-seventh Congress), amending the Classification Act of 1923, as amended, and Executive Order Numbered 8882, issued September 3, 1941, under the authority of said Act, and on account of Executive Order Numbered 8842, issued August 1, 1941, to be added to and become a part of the appropriations available during said fiscal year under the following appropriation titles, namely:

* * *

1832 ⊥DEPARTMENT OF THE INTERIOR

* * *

1833 ⊥For "Salaries, Bureau of Indian Affairs, 1942", $5,000.

Ante, p. 311. For "Expenses of organizing Indian corporations, etc., 1942", $650.

Ante, p. 311. For "Administration of Indian forests, 1942", $4,710.

Ante, p. 314. For "Expenses, Sale of timber (reimbursable), 1942", $1,790.

Ante, p. 314. For "Obtaining employment for Indians, 1942", $500.

Ante, p. 314. For "Agriculture and stock raising among Indians, 1942", $7,000.

Ante, p. 315. For "Indian school support, 1942", $26,525.

Ante, p. 320. For "Indian boarding schools, 1942", $15,355.

Ante, p. 322. For "Indian schools, Five Civilized Tribes, 1942", $1,335.

Ante, p. 323. For "Education of natives of Alaska, 1941–1943", $3,980.

Ante, p. 323. For "Conservation of health among Indians, 1942", $23,705.

Ante, p. 323. For "Administration of Indian property, 1942", $25,000.

Ante, p. 325. For "Construction, etc., buildings and utilities, Indian Service",

Ante, p. 329. $1,455.

* * *

Approved, December 17, 1941.

PRIVATE LAWS OF THE SEVENTY-SEVENTH CONGRESS, FIRST SESSION, 1941–1942.

[CHAPTER 286]

July 9, 1941
[H. R. 4359]

AN ACT

[Private Law 124]
55 Stat. 939

Authorizing and directing the Secretary of the Interior to cancel patent in fee issued to Lizzie Smith.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to cancel the patent in fee numbered 1010067 issued to Lizzie Smith under date of December 15, 1927, covering her allotment of land on the Fort Peck Reservation, Montana, described as follows: West half of section 17, township 31 north; east half southwest quarter northeast quarter of section 34 and the northwest quarter northeast quarter of section 27, township 28 north, all in range 53 east, Montana meridian in Montana, containing three hundred and eighty acres, and to issue to her a trust patent in lieu thereof covering the same land to be held in trust for her sole use and benefit or, in case of her decease, for the sole use and benefit of her lawful heirs and devisees for the same period under the same conditions as other trust patents are held on that reservation as extended by the last proclamation of the President relating to the said reservation: *Provided*, That any valid encumbrances now resting against any of the said land shall not in any manner be affected by the provisions of this Act, but any of such land so encumbered, if still owned by the allottee, heirs, or devisees, shall, when such encumbrances have been removed, become subject to the provisions of this Act as fully and to the same extent as if such land were now unencumbered.

Lizzie Smith
Substitution of patent

Proviso.

Approved, July 9, 1941.

PUBLIC LAWS OF THE SEVENTY-SEVENTH CONGRESS, SECOND SESSION, 1942.

[CHAPTER 24]

AN ACT

To set aside certain lands in Oklahoma for the Cheyenne-Arapaho Tribes of Indians; and to carry out certain obligations to certain enrolled Indians under tribal agreement.

January 29, 1942
[H. R. 5095]
[Public Law 419]
56 Stat. 21

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title to the following described lands is hereby vested in the United States in trust for the Cheyenne-Arapaho Tribes of Oklahoma; and said lands shall be subject to all provisions of existing law applicable generally to Indian reservations:

Cheyenne-Arapaho Indians, Okla.
Lands set aside for use of

Description

In township 14 north, range 20 west of the Indian meridian; the southwest quarter and northeast quarter of section 29; southeast quarter section 30; northeast quarter of section 31; and all of section 32.

⊥In township 18 north, range 13 west of the Indian meridian; the north half and southwest quarter of section 5; all of section 6; in township 19 north, range 13 west of the Indian meridian; southwest quarter of section 20, except those portions thereof situated below an elevation of one thousand six hundred and forty-two feet above mean sea level; all of section 29, except lot 3, south half southeast quarter, northwest quarter southeast quarter, and except also all those portions of lots 1, 2, 4, 5, and 6 and northeast quarter northeast quarter and west half northwest quarter and southeast quarter northwest quarter and southwest quarter situated below an elevation of one thousand six hundred and forty-two feet above mean sea level; southeast quarter and south half northeast quarter of section 30, except those portions thereof situated below an elevation of one thousand six hundred and forty-two feet above mean sea level; east half of section 31, except those portions thereof lying below an elevation of one thousand six hundred and forty-two feet above mean sea level. All of section 32 except the northeast quarter and north half southeast quarter and a strip one hundred feet wide in the south half

⊥22

northwest quarter, being fifty feet on each side of the following-described center line;

Beginning at a point on the west boundary of said section two thousand four hundred and ninety feet south of the northwest corner thereof, thence easterly parallel to the latitudinal quarter section line two thousand six hundred and forty-three feet to the meridional quarter section line, and except also that part of the north half of the northwest quarter situated below an elevation of one thousand six hundred and forty-two feet above mean sea level.

Recovery of taxes paid by certain Indians.

SEC. 2. That any person duly enrolled as a member of an Indian tribe who received in pursuance of a tribal treaty or agreement with the United States an allotment of land which, by the terms of said treaty or agreement was exempted from taxation, restricted against alienation, or which by the terms of any Act of Congress was continued under the supervision of the United States during the minority of such allottee, and from which land the restrictions have or have not been removed, and any such enrolled member of an Indian tribe having restricted money in the custody and control of the United States, prior to April 26, 1931, and who was required or permitted to pay any Federal income tax on such lands or on the rents, royalties, or other gains arising from such lands during such restricted or tax-exempt period or on income from such restricted funds while in the custody or control of the United States, or on income from any allotment during the minority of the allottee, or any such person who has been erroneously or illegally taxed by reason of not having claimed or received the benefit of any deductions or exemptions permitted by law, and who would be entitled under this or previous Acts or rulings of the Treasury Department in similar Indian cases to a refund of the taxes so illegally or erroneously collected, but for the fact that he failed to file a claim for such refund within the time prescribed by law, shall be allowed two years after the approval of this Act within which to file such claim, and if otherwise entitled thereto he may recover such taxes in the same manner and to the same extent as if such claims for refund had been theretofore duly filed as required by law, it not being the policy of the Government to invoke or plead a statute of limitations to escape the obligations of agreement solemnly entered into with its Indian wards, or prior to April 26, 1931, to exact for its own use and benefit an income tax from them while their property continued under the supervision of the United States and/or during the minority of any such allottee: *Provided, however*, That in the case of the death of a member of an Indian tribe his heirs who succeeded to his allotment ⊥of lands be permitted to file claims and recover refunds in the same manner as duly enrolled member of an Indian tribe: *Provided further*, That in the case of the death of any enrolled member of an Indian Tribe any such illegal taxes paid by him or on his account may in like manner be claimed and recovered by the person or persons who would have received such money had it constituted a part of his estate at the time of his death.

Filing of claim.

Provisos.
Heirs permitted to file claim

⊥123

Other claimants.

That all Acts and parts of Acts in conflict herewith are modified for the purpose, and only for the purpose, of carrying into effect the provisions hereof.

Approved, January 20, 1942.

[CHAPTER 54]

AN ACT

February 10, 1942
[S. 294]

[Public Law 417]
56 Stat. 86

To authorize an appropriation for payment to the Middle Rio Grande Conservancy District of construction costs assessed against certain lands within such district acquired by the United States for the benefit of certain Indians in the State of New Mexico.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That there is hereby authorized to be appropriated, the sum of $22,415.43, to be expended by the Secretary of the Interior for the purpose of paying to the Middle Rio Grande Conservancy District, a corporate political subdivision of the State of New Mexico, that part of the cost of works constructed by such district which was assessed against four hundred and eighty-three and twenty-nine one-hundredths acres, more or less, of lands, in addition to the lands covered by the contract of December 14, 1928, between the district and the Secretary of the Interior, executed pursuant to the Act of March 13, 1928 (45 Stat. 312), in Sandoval County within such district as its proportionate share of the cost of construction of such works; such lands having been acquired by the United States for and on behalf of the Pueblo Indians of Cochiti, Santo Domingo, San Felipe, and Santa Ana subsequent to their assessment for construction costs but without the payment of the assessments thereon.

Middle Rio Grande Conservancy District, N. Mex.
Appropriation authorized for payment to.
Post, p. 716

SEC. 2. The unexpended balance of the amount appropriated by the Act of May 10, 1939 (53 Stat. 685–701), for final payment to the Middle Rio Grande Conservancy District on account of Pueblo Indian lands benefited by the works constructed by the district is hereby made available for payment to the district to liquidate liens against three hundred and twenty and sixty-five one-hundredths acres in addition to lands covered by the contract of December 14, 1928, supra, representing unpaid construction assessments at the time the lands were purchased for the Indians.

Liquidation of certain liens.

Approved, February 10, 1942.

[CHAPTER 56]

AN ACT

To amend the Act of June 11, 1940 (Public, Numbered 590, Seventy-sixth Congress, third session), providing for the relief of Indians who have paid taxes on allotted land.

February 10, 1942
[S. 1412]
[Public Law 449]
56 Stat. 87

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 11, 1940 (Public, Numbered 590, Seventy-sixth Congress, ch. 315, third session), be, and the same is hereby, amended to read:

54 Stat. 298.
25 U. S. C. § 352c.

"The Secretary of the Interior is hereby authorized, under such rules and regulations as he may prescribe, to reimburse Indian allottees, or Indian heirs or Indian devisees of allottees, for all taxes paid, including penalties and interest, on so much of their allotted lands as have been patented in fee prior to the expiration of the period of trust without application by or consent of the patentee: *Provided*, That if the Indian allottee, or his or her Indian heirs or Indian devisees, have by their own act accepted such patent, no reimbursement shall be made for taxes paid, including penalties and interest, subsequent to acceptance of the patent: *Provided further*, That the fact of such acceptance shall be determined by the Secretary of the Interior.

Reimbursement of Indian allottees.

Provisos.
Acceptance of patent.

"In any case in which a claim against a State, county, or political subdivision thereof, for taxes collected upon such lands during the trust period has been reduced to judgment and such judgment remains unsatisfied in whole or in part, the Secretary of the Interior is authorized, upon reimbursement by him to the Indian of the amount of taxes including penalties and interest paid thereon, and upon payment by the judgment debtor of the costs of the suit, to cause such judgment to be released: *Provided further*, That in any case, upon submission of adequate proof, the claims for taxes paid by or on behalf of the patentee or his Indian heirs or Indian devisees have been satisfied, in whole or in part, by the State, county, or political subdivision thereof, the Secretary of the Interior is authorized to

Release of judgments.

Proviso.
Reimbursement of States, etc.

reimburse the State, county, or political subdivision for such amounts as may have been paid by them."

⊥88

Appropriation authorized

⊥SEC. 2. There is hereby authorized to be appropriated the sum of $95,000, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, for the purpose of carrying out the provisions of this act.

Availability of funds

Any appropriations made pursuant to this section shall remain available until expended.

Approved, February 10, 1942.

[CHAPTER 96]

AN ACT

February 20, 1942
[H. R. 3542]
[Public Law 457]
56 Stat. 95

To authorize the purchase from appropriations made for the Indian Service of supplies and materials for resale to natives, native cooperative associations, and Indian Service employees stationed in Alaska.

Alaska
Purchase and resale of supplies, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to purchase from appropriations made for the benefit of natives of Alaska, food, clothing, supplies, and materials for resale, under such rules and regulations as he may prescribe, to employees of the Department of the Interior stationed in Alaska and to natives of Alaska and native cooperative associations under his supervision. The proceeds from such sales shall be credited to the appropriation or appropriations current at the date of the deposit thereof into the Treasury and shall be available for the same purposes.

Approved, February 20, 1942.

[CHAPTER 98]

AN ACT

February 20, 1942
[H. R. 3539]
[Public Law 458]
56 Stat. 95

To provide for the deposit and expenditure of various revenues collected at schools and hospitals operated by the Indian Service in Alaska.

Indian Service in Alaska
Deposit, etc., of miscellaneous revenues

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter miscellaneous revenues derived from schools, hospitals, and other facilities maintained and operated by the Indian Service for the benefit of Indians and natives of Alaska shall be covered into the Treasury of the United States under the provisions of the Act of May 17, 1926 (44 Stat. 560).

25 U. S. C. § 155

Approved, February 20, 1942.

[CHAPTER 108]

AN ACT

February 21, 1942
[H. R. 6548]
[Public Law 463]
56 Stat. 98

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1942, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes.

First Deficiency Appropriation Act, 1942

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1942, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes, namely:

* * *

⊥109

⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

⊥AUDITED CLAIMS ⊥112

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1939 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 573, Seventy-seventh Congress, there is appropriated as follows: 18 Stat. 110. 23 Stat. 254.

* * *

⊥**Department of the Interior:** ⊥114

* * *

⊥For emergency conservation work (transfer to Interior, Indians, Act February 9, 1937), $7.80. ⊥115

For emergency conservation work (transfer to Interior, Indians, Act June 22, 1936), $206.47.

For conservation of health among Indians, $624.

For pay of judges, Indian courts, $16.64.

For Indian boarding schools, $71.93.

For Indian Service supply fund, $19.59.

For general expenses, Indian Service, $1.06.

For support of Indians and administration of Indian property, $330.25.

For Indian school support, $258.51.

For construction, and so forth, irrigation systems, Indian reservations (reimbursable), $1.20.

For Civilian Conservation Corps (transfer to Interior, Indians), $821.40.

For irrigation, Indian reservations (reimbursable), $2.16.

* * *

Approved, February 21, 1942.

[CHAPTER 113]

AN ACT

Relating to lands of the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians.

February 24, 1942
[S. 1368]

[Public Law 465]
56 Stat. 121

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he hereby is, authorized to receive on behalf of the United States from individual members of the Klamath Tribe of Indians voluntarily executed deeds to such lands as said Indians may own in fee simple free from all encumbrances, said lands to be held in trust by the United States for said Indians and their heirs; and, whenever restricted funds are used for the purchase of lands for individual members of the Klamath Tribe of Indians, the Secretary of the Interior is authorized, in his discretion, to take title to said lands in the United States, the same to be held in trust for said individual Indians: *Provided, however*, That while any of the foregoing lands are held in trust by the United States for said Indians, the same shall be subject to the same restrictions, immunities, and exemptions as homesteads purchased out of trust or restricted funds of individual Indians pursuant to section 2 of the Act of June 20, 1936 (ch. 622, 49 Stat. 1542), as amended by the Act of May 19, 1937 (ch. 227, 50 Stat. 188, sec. 2), except the restrictions, immunities, or exemptions of the second proviso of said Act as so amended.

Klamath Tribe of Indians.
Lands to be held in trust.

Proviso.
Restrictions, etc.

25 U. S. C. § 412a.

SEC. 2. As used in this Act the term "Klamath Tribe of Indians"

includes the Klamath and Modoc Tribes, and the Yahooskin Band of Snake Indians.

Approved, February 24, 1942.

[CHAPTER 298]

AN ACT

May 9, 1942
[S. 1927]
[Public Law 546]
56 Stat. 273

To reserve certain public lands in California for the benefit of the Manchester Band of Pomo Indians of the Manchester Rancheria.

Manchester Band of Pomo Indians, Calif.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to all valid existing rights and claims, lot 15, section 1, township 12 north, range 17 west, Mount Diablo meridian, California, being part of the public lands of the United States, be, and the same is hereby, withdrawn from entry, sale, or other disposition and set aside as an addition to the Manchester Rancheria in California, for the exclusive use and benefit of the Manchester Band of Pomo Indians residing thereon.

Approved, May 9, 1942.

[CHAPTER 336]

AN ACT

June 5, 1942
[H. R. 3488]
[Public Law 576]
56 Stat. 312

To provide that assistant or deputy heads of certain bureaus in the Department of the Interior shall be appointed under the civil-service laws, and for other purposes.

Department of the Interior.
Appointment of certain assistant or deputy commissioners.

42 Stat. 1488, *Post*, p. 773.
5 U. S. C. §§ 661-674, Supp. I, ch. 13.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter assistant or deputy commissioners of the General Land Office and Bureau of Indian Affairs, in the Department of the Interior, shall be appointed by the Secretary of the Interior, subject to the civil-service laws and that Classification Act of 1923, as amended. Appointment to these positions shall be considered as made under the authority of section 169 of the Revised Statutes, as amended (5 U. S. C., sec. 43).

Functions and duties.

Assistant and deputy commissioners so appointed shall be authorized to sign such letters, papers, and documents and to perform such other duties as may be directed by the commissioner of their respective bureaus.

Performance of duties of commissioner in case of death, etc.

The Secretary may designate for each of the aforementioned bureaus an assistant or deputy commissioner, who shall be authorized to perform the duties of the commissioner in case of the death, resignation, absence, or sickness of the commissioner.

SEC. 2. All provisions of law inconsistent with this Act are hereby repealed to the extent of such inconsistency.

Approved, June 5, 1942.

[CHAPTER 347]

AN ACT

June 5, 1942
[H. R. 5484]
[Public Law 587]
56 Stat. 323

For the relief of the Tlingit and Haida Indians of Alaska.

Tlingit and Haida Indians of Alaska.
Time extension for filing suit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time within which suit or suits may be filed by the Tlingit and Haida Indians of Alaska under the terms of the Act of Congress of June 19, 1935 (ch. 275, 49 Stat. L. 388), is hereby extended for a period of three years from and after the date of the approval of this Act.

Approved, June 5, 1942.

[CHAPTER 396]

AN ACT

June 8, 1942
[H. R. 6802]
[Public Law 600]
56 Stat. 330

Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1943, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch of the Government for the fiscal year ending June 30, 1943, namely:

Legislative Branch Appropriation Act, 1943

SENATE

* * *

⊥COMMITTEE EMPLOYEES ⊥331

* * *

Indian Affairs—⊥clerk, $3,900; assistant clerk, $3,600 and $1,400 additional so long as the position is held by the present incumbent; assistant clerk $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. ⊥332

* * *

⊥HOUSE OF REPRESENTATIVES ⊥335

* * *

COMMITTEE EMPLOYEES

* * *

⊥. . . Indian Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. ⊥336

* * *

Approved, June 8, 1942.

[CHAPTER 472]

AN ACT

July 2, 1942
[H. R. 6599]
[Public Law 644]
56 Stat. 468

Making appropriations for the Department of State, the Department of Justice, the Department of Commerce, and the Federal Judiciary, for the fiscal year ending June 30, 1943, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of State, the Department of Justice, the Department of Commerce, and the Federal Judiciary, for the fiscal year ending June 30, 1943, namely:

Department of State Appropriation Act, 1943

TITLE I—DEPARTMENT OF STATE

* * *

⊥CONTRIBUTIONS, QUOTAS, AND SO FORTH ⊥474

Post, p. 719

For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts, as follows . . .

* * *

⊥ . . . and Inter-American Indian Institute, $4,800; in all, $996,500, together with such additional sums, due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation. ⊥475

Additional sums due to increased rates of exchange

Approved, July 2, 1942.

[CHAPTER 473]

AN ACT

July 2, 1942
[H. R. 6845]
[Public Law 645]
56 Stat. 506

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1943, and for other purposes.

Interior Department Appropriation Act, 1943.
Post, pp. 715, 1002

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1943, namely:

OFFICE OF THE SECRETARY

* * *

⊥509

⊥CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

* * *

Purchase of books, etc.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, $600, and in addition there is hereby made available from the Department not to exceed the following respective sums: Grazing Service, $250; Indian Service, $500; Bureau of Reclamation, $10,000; Geological Survey, $6,000; National Park Service, $4,000; General Land Office, $1,000; Bureau of Mines, $6,000.

Additional sums from specified appropriations.

* * *

⊥512

Post, pp. 716, 1002

⊥BUREAU OF INDIAN AFFAIRS

SALARIES

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $610,040.

⊥513

⊥GENERAL EXPENSES

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, for the rental of office equipment and the purchase of necessary supplies therefor, and for other necessary expenses of the Indian Service for which no other appropriation is available, $47,320.

Purchase of goods and supplies

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $799,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso.

Maintenance of law and order

For maintaining law and order on Indian reservations, including pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, and including traveling expenses, supplies, and equipment, $264,660.

Lease, etc., of agency buildings

For lease, purchase, construction, repair, and improvement of agency buildings, exclusive of hospital buildings, including the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $195,000: *Provided*, That no part of this appropriation shall be available for the construction of any building the total cost of which is in excess of $1,500.

Proviso.

Tribal organizations, expenses.

25 U. S. C. §§ 469, 478a, 478b; 48 U. S. C. §§ 358a, 362; 25 U. S. C. §§ 501–509

For expenses of organizing Indian chartered corporations, or other tribal oranizations, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), as supplemented and amended by the Acts of June 15, 1935 (49 Stat. 378), May 1, 1936 (49 Stat. 1250), and June 26, 1936 (49 Stat. 1967), including personal services, purchase of equipment and supplies, not to exceed $3,000 for printing and binding, and other necessary expenses, $45,000, of which not to exceed $13,800 may be used for personal services in the District of Columbia: *Provided*,

That in the discretion of the Secretary of the Interior, not to exceed $3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work: *Provided further*, That no part of this appropriation shall be available for expenditure in that part of the State of New Mexico embraced in the Navajo Indian Reservation, and not to exceed $5,000 shall be available for expenditure in said State: *Provided further*, That no part of this appropriation shall be available to conduct elections in any reservation on any matter which has been previously voted upon there unless two years have elapsed.

Proviso. Traveling allowances.

Expenditure in New Mexico.

Conduct of elections.

Vehicles, Indian Service: Not to exceed $450,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation (including the exchange of necessary parts and accessories in part payment for new parts and accessories) of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed $225,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and such vehicles shall be used only for official service, including the transportation of Indian school pupils.

⊥Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

⊥514

Proviso.

INDIAN LANDS

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (48 Stat. 961), is hereby continued available for the same purposes until expended.

48 Stat. 1033.

Purchase of land for the Navajo Indians, Arizona, New Mexico, and Utah (tribal fund): For the purchase of land, or interests therein and improvements thereon, within the Navajo Indian Reservation in Arizona, New Mexico, and Utah, $40,000: *Provided*, That no expenditures shall be made hereunder unless the Indians of the Navajo Tribe, by formal resolution of the tribal council, consent to the use of tribal funds for such purpose. Title to any lands and improvements purchased hereunder shall be taken in the name of the United States in trust for the Navajo Tribe of Indians.

Proviso. Expenditures.

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, $20,000, payable from funds on deposit to the credit of the Navajo Tribe.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition (except salaries and expenses of employees), in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 985), $325,000: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, Colorado, New Mexico, and Wyoming outside of the boundaries of existing Indian reservations.

Acquisition of lands, etc.

25 U. S. C. § 465.

Proviso.

Restricted lands, taxes, etc.
50 Stat. 573

The unexpended balance of the appropriation of $25,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for the payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, as authorized by the Act of June 20, 1936 (49 Stat. 1542), is hereby continued available for the same purposes until June 30, 1943.

25 U. S. C. § 412a.

Confederated Bands of Utes, Utah

54 Stat. 415

Purchase of land, Confederated Bands of Utes, Utah (tribal funds): The unexpended balances of the amounts authorized to be expended by the Interior Department Appropriation Act for the fiscal year 1941 for the purchase of additional lands and improvements for the Confederated Bands of Ute Indians in Utah, are hereby continued available for the same purposes until expended.

Round Valley Reservation, Calif.

54 Stat. 415

Purchase of land for the Indians of the Round Valley Reservation, California (tribal funds): The unexpended balance of the appropriation of $10,000, contained in the Interior Department Appropriation Act, 1941, for the purchase of land and improvements thereon for the Indians of the Round Valley Reservation, California, payable from funds on deposit to the credit of said Indians is hereby continued available until expended.

Colville Reservation, Wash.

53 Stat. 1134

Purchase of land for the Indians of the Colville Reservation, Washington (tribal funds): The unexpended balance of the appropriation of $100,000 contained in the Third Deficiency Appropriation Act, fiscal year 1939, for the purchase of land and improvements thereon for the Colville Indians, Washington, payable from funds on deposit to the credit of said Indians, is hereby continued available until expended.

Flathead Indians, Mont.

Proviso.

Purchase of land, Flathead Indians, Montana (tribal funds): For the purchase of land and improvements thereon for the Indians of the Flathead Reservation, Montana, $25,000, payable from funds on deposit to the credit of said Indians: *Provided*, That title to any land and improvements so purchased shall be taken in the name of the United States in trust for the Indians of the Flathead Reservation.

Indians of Omaha Reservation, Nebr.

Proviso.

For the purchase of land and improvements thereon for the Indians of the Omaha Reservation, Nebraska, $1,700, payable from funds on deposit to the credit of said Indians: *Provided*, That title to any land and improvements so purchased shall be taken in the name of the United States in trust for the Indians of the Omaha Reservation.

Spokane Indians, Wash.

54 Stat. 416.

Purchase of land, Spokane Indians, Washington (tribal funds): The unexpended balance of the appropriation of $30,000, contained in the Interior Department Appropriation Act, 1941, for the purchase of Indian-owned and privately owned lands, improvements on lands, or any interest in lands, including water rights for Indians of the Spokane Reservation, Washington, payable from any funds on deposit to the credit of the Indians of said reservation is hereby continued available until expended.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, $381,910: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso.
Limitation on use of funds

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands only from which such timber is sold, $125,670, reimbursable to the United States as provided in the Act of February 14, 1920 (25 U. S. C. 413), from the proceeds of timber sales: *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

Timber sales, etc., expenses.

41 Stat. 415.

Proviso.
Rewards.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $15,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations shall be available upon the approval of the Secretary of the Interior, for fire-suppression or emer-⊥gency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Suppression, etc., of forest fires.

Provisos.
Additional amount available.

1516
Report to Congress.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (25 U. S. C. 336, 371, 397), May 27, 1908 (35 Stat. 312), March 3, 1909 (25 U. S. C. 396), and other Acts authorizing the leasing of such land for mining purposes, including not to exceed $5,000 for the purchase and exchange (not to exceed $2,000), maintenance, repair, and operation of passenger-carrying vehicles, and not to exceed $10,000 for personal services in the District of Columbia, $90,000.

Geological Survey.
Transfer of funds.
Post, p. 539.

26 Stat. 794; 35 Stat. 783.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $703,680, of which not to exceed $10,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation, and not to exceed $5,000 may be used for defraying the expenses of Indian affairs, including premiums for exhibits.

Development of agriculture and stock raising.

Navajo Reservation, sheep-breeding station.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $115,000, which sum may be advanced to Indians for the purchase of seeds, animals, machinery, tools, implements, and other equipment and supplies; for advances to old, disabled, or indigent Indian allottees for their support; and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof: *Provided*, That not to exceed $25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians: *Provided further*, That not to exceed $10,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Loans to encourage industry, etc.

Provisos.
Limitation.

Advances for educational purposes.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $137,000, payable

Advances for home construction, etc.

from tribal funds as follows: Flathead, Montana, $35,000; Navajo, Arizona and New Mexico, $50,000; Fort Berthold, North Dakota, $48,000; Spokane, Washington, $4,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1942, are hereby continued available during the fiscal year 1943, for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1943 shall be credited to the respective appropriations and ⊥be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary of the Interior, and revenues derived therefrom shall be covered into the Treasury to the credit of the respective tribes: *Provided further*, That upon the incorporation of a tribe operating an enterprise under the authority contained in the foregoing proviso, the operation of the enterprise and the handling of revenues therefrom may thereafter be governed by the rules and regulations established for the making of loans from the revolving load fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under rules and regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Reappropriation.

55 Stat. 315.

Provisos.
Advances for educational purposes.

Credits; availability.

⊥517

Establishment, etc., of tribal enterprises.

Loans from revolving loan fund.

48 Stat. 986.
Advances.

Additional amount for revolving loan fund.

For an additional amount to be added to the appropriations heretofore made, for the establishment of a revolving fund for the purpose of making and administering loans to Indian-chartered corporations in accordance with the Act of June 18, 1934 (48 Stat. 986), and of making and administering loans to individual Indians and to associations or corporate groups of Indians of Oklahoma in accordance with the Act of June 26, 1936 (49 Stat. 1967), $125,000, of which amount not to exceed $20,000 shall be available for personal services in the District of Columbia, and $100,000 shall be available for personal services in the field, for traveling expenses of employees, for purchase of equipment and supplies, and for other necessary expenses of administering such loans, including not more than $2,500 for printing and binding.

25 U. S. C. § 470.

25 U. S. C. § 506.
Personal services.

Development of Indian arts and crafts.

25 U. S. C. §§ 305–305e.

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat. 891), including personal services, purchase and transportation of equipment and supplies, purchase of periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, including payment of actual transportation expenses, not to exceed $2,500 for printing and binding, and other necessary expenses, $32,750, of which not to exceed $15,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $6,500 per annum.

Proviso.
Salary limitation.

DEVELOPMENT OF WATER SUPPLY

For the development, rehabilitation, repair, maintenance, and operation of domestic and stock water facilities on the Navajo Reservation in Arizona, New Mexico, and Utah, the Hopi Reservation in Arizona, the Papago Reservation in Arizona, and the several Pueblos in New Mexico, including the purchase and installation of pumping and other equipment, $101,950.

IRRIGATION AND DRAINAGE

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian ⊥reservations and allotments; for operation of irrigation systems or ⊥518
appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, $210,000, reimbursable, together with $44,500 operation and maintenance collections, from which latter amount Limitation
expenditures for any one project shall not exceed the aggregate receipts from such project covered into the Treasury pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934: 48 Stat. 1277
31 U.S.C. § 725c

Miscellaneous projects, $16,500; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Fort Apache, $4,500; San Carlos, $5,000; Navajo, miscellaneous projects, Arizona and New Mexico, $39,000, together with $21,500 (Fruitlands, $9,000; Ganado, $1,500; Hogback, $7,000; miscellaneous projects, $4,000), collections; Hopi, miscellaneous projects, $1,500; San Xavier, $2,000; Truxton Canon, $1,000; California: Mission, $7,000, together with $3,000 (Morongo, $1,000; Pala and Rincon, $1,000; miscellaneous projects, $1,000), collections; Colorado: Southern Ute, $8,000, together with $8,000 collections; Montana: Tongue River, $2,250, together with $1,000, collections; Nevada: Pyramid Lake, $3,000, together with $500, collections; Walker River, $4,500, together with $1,500, collections; Western Shoshone, $8,000, together with $2,000, collections; New Mexico: Miscellaneous Pueblos, $25,000; Mescalero, $2,500; Oregon: Warm Springs, $3,500; Washington: Colville, $5,000, together with $5,000, collections; Lummi diking project, $500, together with $2,000, collections; and for necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $65,000: *Provided*, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amounts so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Provisos.
Interchange of amounts.

Apportionment of costs.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $22,350, reimbursable, together with $102,000 (operation and maintenance collections), and $223,000 (power revenues), of which latter sum not to exceed $20,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts, of $102,000 and $223,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance

San Carlos project, Ariz.

48 Stat. 1227.
31 U. S. C. § 725c.

with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $347,350.

Pima Indians, Ariz. Subjugation and cropping operations.

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed $200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Colorado River Indian Reservation, Ariz.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat. 273). ⊥$10,000, reimbursable, together with $19,990, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

⊥519

48 Stat. 1227.
31 U. S. C. § 725c.

Yuma Reservation, Calif.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $11,500, reimbursable.

Fort Hall irrigation systems, Idaho.

For improvements, maintenance, and operation of the Fort Hall irrigation systems, Idaho, $26,650, together with $24,200, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Belknap Reservation, Mont.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $14,000, reimbursable, together with $4,450, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project, Mont.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, $8,000, reimbursable, together with $4,965, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Blackfeet Indian Reservation, Mont.

For the improvement maintenance, and operation of the irrigation systems on the Blackfeet Indian Reservation in Montana, $11,850, reimbursable, together with $14,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Flathead Reservation, Mont.

For operation and maintenance of the irrigation and power systems on the Flathead Reservation, Montana, $128,100 (operation and maintenance collections) and $118,200 (power revenues), from which amounts of $128,100 and $118,200, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $246,300.

48 Stat. 1227.
31 U. S. C. § 725c.

Crow Reservation, Mont.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $5,000, reimbursable, together with $44,545, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Tongue River Water Users' Association, etc., Mont.

For payment to the Tongue River Water Users' Association, Montana, or the State Water Conservation Board of Montana, in accord-

ance with the provisions of the Act approved August 11, 1939 (53 Stat. 1411), $9,750, reimbursable as provided in said Act.

Paiute Indian lands within Newlands project, Nev.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, $5,565, to be immediately available; in all, $10,946.

Drains to Truckee-Carson district.

Albuquerque Indian School, N. Mex.

For operation and maintenance assessments on Indian lands, and the buildings and grounds of the Albuquerque Indian School, within ⊥the Middle Rio Grande Conservancy District, New Mexico $9,585, of which amount $8,789 shall be reimbursed in accordance with existing law.

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Klamath Reservation, Oreg.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, Oregon, $2,480, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek and Modoc Point units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227; 31 U. S. C. § 725c.

Uncompahgre, etc., Utes, Utah.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat. 375), $20,000, reimbursable, together with $38,300, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Yakima Reservation, Wash.
Wapato system.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $165,980 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Reimbursement to reclamation fund.

For reimbursement to the reclamation fund for stored water to irrigate Indian lands on the Yakima Indian Reservation, Washington, pursuant to the Act of July 1, 1940 (54 Stat. 707), $20,000.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat. 604), $11,000.

Wind River Reservation, Wyo.

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district and the Big Bend drainage district on the ceded reservation, $20,000, reimbursable, together with $28,850, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Protection against sabotage.

Protection of project works (national defense): For all expenses necessary to provide protection against sabotage and other subversive depredations, of dams, powerhouses, or other structures of the irrigation systems of the Indian Service, including employment of civilian guards, floodlights, gates, barricades, firearms, and ammunition, $85,130.

Construction, repair, etc., of designated projects.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the develop-

ment of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

49 Stat. 1039, 1040.

Arizona: Colorado River, authorized by and in accordance with section 2 of the River and Harbor Act, approved August 30, 1935 (49 Stat. 1039, 1040), including the purchase of electrical energy and the distribution and sale thereof, $35,000; Navajo, Arizona and New Mexico, $75,000; Salt River, $10,000;

California: Mission, $5,000; Sacramento, $15,000; Owens Valley (Carson Agency, Nevada), $5,000;

Colorado: Southern Ute, $9,000;

Idaho: Fort Hall, $10,000;

Montana: Blackfeet, $25,000; Fort Belknap, $6,250; Fort Peck, $50,000;

Nevada: Carson $23,000; Western Shoshone, $5,000; Walker River, $3,000; Pyramid Lake, $17,000;

New Mexico: Pueblo, $10,000;

Oregon: Warm Springs, $15,000;

Wyoming, Wind River, $50,000;

Miscellaneous garden tracts, $48,000;

Surveys, investigations, etc.

For surveys, investigations, and administrative expenses, including personal services in the District or Columbia and elsewhere, and not to exceed $3,000 for printing and binding, $134,750;

Total, availability.

In all, $551,000, to be reimbursable in accordance with law, and to be immediately available, and to remain available until completion of the projects: *Provided*, That the foregoing amounts may be used interchangeably in the discretion o the Secretary of the Interior, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 per centum.

Proviso.
Interchange of amounts.

EDUCATION

Support of Indian schools.

For the support of Indian schools not otherwise provided for, and for other Indian educational purposes, including apprentice teachers for reservation and nonreservation schools, educational facilities authorized by treaty provisions, care of Indian children of school age attending public and private schools, support and education of deaf, dumb, blind, physically handicapped, delinquent, or mentally deficient Indian children; for subsistence of pupils in boarding schools during summer months, for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe; and tuition and other assistance for Indian pupils attending public schools, and for the support of Indian museums at Rapid City, South Dakota, and Browning, Montana, $5,822,505: *Provided*, That formal contracts shall not be required for compliance with section 3744 of the Revised Statutes (41 U. S. C. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public and private schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, delinquent, or mentally deficient: *Provided further*, That not to exceed $10,000 of this appropriation may be used for printing and binding (including illustrations) in authorized Indian-school printing plants: *Provided further*, That no part of any appropriation in this Act for the Bureau of Indian Affairs shall be available for expenses of travel for the study of educational systems or practices outside the continental limits of the United States and the Territory of Alaska.

Provisos.
Formal contracts not required.
41 U. S. C., Supp. I, § 16.

Printing and binding.

Travel expenses, restriction.

Expenditures from tribal funds.

Support of Indian schools from tribal funds: For the support of Indian schools, and for other educational purposes, including care of

Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf and dumb or blind, ⊥physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than $334,375, including not to exceed $44,375 for payment of tuition for Chippewa Indian children enrolled in public schools and care of children of school age attending private schools in the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat. 645): *Provided*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (41 U. S. C. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public and private schools, or schools for the deaf and dumb, blind, physically handicapped, delinquent, or mentally deficient.

1522

41 Stat. 560

Chippewa children attending schools in Minnesota

Proviso.
Formal contracts not required.
41 U. S. C. Supp. I, § 16

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $1,500, payable from funds held in trust by the United States for the Osage Tribe.

St. Louis Mission Boarding School, Okla.

For reimbursable loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, including colleges and universities offering recognized vocational, trade, and professional courses, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), and for apprentice training in manufacturing and other commercial establishments, $60,000: *Provided*, That not more than $40,000 of the amount available for the fiscal year 1943 shall be available for loans to Indian students pursuing liberal-arts courses in high schools and colleges: *Provided further*, That advances made under this authorization shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Vocational and trade schools.
Loans for payment of tuition.

25 U. S. C. § 471

Provisos.
Liberal-arts courses.

Reimbursement for advances.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the installation, repair, and improvement of heating, lighting, power, sewer, and water systems in connection therewith, and including the purchase of materials for the use of Indian pupils in the construction of buildings (not to exceed $1,500 for any one building) at Indian schools not otherwise provided for, $355,200.

Buildings at Indian schools.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Nonreservation boarding schools.
Support, etc., of Indian pupils.

Phoenix, Arizona: For five hundred pupils, including not to exceed $2,500 for printing and issuing school paper, $165,000; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,000; in all, $190,000;

Phoenix, Ariz.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $223,900; for pay of superintendent, drayage, and general repairs and improvements, $23,700; in all, $247,600;

Sherman Institute, Riverside, Calif.

Haskell Institute, Lawrence, Kansas: For six hundred and twenty-five pupils, including not to exceed $2,500 for printing and issuing school paper, and not to exceed $6,000 for the purchase of printing equipment, $216,000; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $25,200; in all, $241,200;

Haskell Institute, Lawrence, Kans.

Pipestone, Minnesota: For three hundred pupils, $99,475; for pay of superintendent, drayage, and general repairs and improvements, $15,200; in all, $114,675;

Pipestone, Minn.

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Carson City, Nev.

‡Carson City, Nevada: For five hundred and twenty-five pupils, $170,800; for pay of principal, drayage, and general repairs and improvements, $20,000; in all, $190,800;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For five hundred pupils, $172,300; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,200; in all, $197,500;

Santa Fe, N. Mex.

Santa Fe, New Mexico: For three hundred and eighty pupils, $137,065; for drayage, and general repairs and improvements, $15,000; in all, $152,065;

Wahpeton, N. Dak.

Wahpeton, North Dakota: For two hundred and seventy pupils, $89,515; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $102,515;

Chilocco, Okla

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, and not to exceed $6,000 for the purchase of printing equipment, $224,800; for pay of superintendent, drayage, and general repairs and improvements, $25,200; in all, $250,000;

Sequoyah Orphan Training School, Okla

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, $116,945; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $131,945;

Carter Seminary, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $58,850; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $65,850;

Euchee, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $41,495; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $48,495;

Eufaula, Okla.

Eufaula, Oklahoma: For one hundred and forty pupils, $49,590; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $56,590;

Jones Academy, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $62,365; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $69,365;

Wheelock Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $46,295; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $53,295;

Chemawa, Oreg.

Chemawa, Oregon: For four hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $154,385; for pay of superintendent, drayage, and general repairs and improvements, $20,200; in all, $174,585;

Flandreau, S. Dak.

Flandreau, South Dakota: For four hundred and fifty pupils, $162,540; for pay of superintendent, drayage and general repairs and improvements, $19,000; in all, $181,540;

Pierre, S. Dak.

Pierre, South Dakota: For three hundred pupils, $99,020; for pay of superintendent, drayage, and general repairs and improvements, $15,200; in all, $114,220;

Proviso.
Interchange of amounts.

In all, for above-named nonreservation boarding schools, not to exceed $2,582,240: *Provided,* That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Report to Congress.

Tuition for Indian pupils attending public schools, etc.

1524

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools and for the repair of special Indian day schools in the Cherokee, Creek, Choctaw, ‡Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $391,150, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by

him: *Provided*, That not to exceed $21,500 may be expended for the payment of salaries of public-school teachers, employed by the State, county, or district in special Indian day schools in full-blooded Indian communities, where there are not adequate white day schools available for their attendance.

Proviso.
Salaries of certain public school teachers.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; repair and rental of school buildings; textbooks and industrial apparatus; pay and traveling expenses of employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, $1,129,990, to be immediately available and to remain available until June 30, 1944: *Provided*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution.

Natives in Alaska. Support, relief, etc.

Proviso.
Report to Congress.

CONSERVATION OF HEALTH

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanitoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $25,000 for clinical surveys and general medical research in connection with tuberculosis, trachoma, and veneral and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $5,551,936, including not to exceed $4,090,244 for the following-named hospitals and sanitoria:

Clinical surveys and general medical research.

Allotments to specified hospitals and sanatoria.

Arizona: Indian Oasis Hospital, $31,955; Kayenta Sanatorium, $53,485; Navajo Medical Center, $300,635; Phoenix Sanatorium, $115,145; Pima Hospital, $37,070; Truxton Canyon Hospital, $15,156; Western Navajo Hospital, $37,510; Chin Lee Hospital, $22,270; Fort Apache Hospital, $30,705; Hopi Hospital, $44,556; San Carlos Hospital, $33,620; Tohatchi Hospital, $19,305; Colorado River Hospital, $24,052; San Xavier Sanatorium, $47,012; Phoenix Hospital, $47,720; Winslow Sanatorium, $65,660;

California: Hoopa Valley Hospital, $30,211; Soboba Hospital, $27,597; Fort Yuma Hospital, $23,475;

Colorado: Ute Mountain Hospital, $16,227; Edward T. Taylor Hospital, $28,890;

Idaho: Fort Lapwai Sanatorium, $102,050; Fort Hall Hospitals, $15,330

Minnesota: Pipestone Hospital, $24,822; Cass Lake Hospital, $32,950; Fond du Lac Hospital, $27,135; Red Lake Hospital, $24,287; White Earth Hospital, $25,846;

Mississippi: Choctaw Hospital, $26,342;

Montana: Blackfeet Hospital, $51,757; Fort Peck Hospital, $29,170; Crow Hospital, $38,805; Fort Belknap Hospital, $36,318; Tongue River Hospital, $32,457;

⊥Nebraska: Winnebago Hospital, $50,591; ⊥525

Nevada: Carson Hospital, $29,417; Walker River Hospital, $27,366; Western Shoshone Hospital, $21,717;

New Mexico: Albuquerque Sanatorium, $114,650; Jicarilla Hospital and Sanatorium, $45,710; Mescalero Hospital, $25,625; Eastern Navajo

Hospital, $72,050; Northern Navajo Hospital, $51,830; Taos Hospital, $17,225; Zuni Hospital, $33,470; Albuquerque Hospital, $54,532; Charles H. Burke Hospital, $33,346; Santa Fe Hospital, $45,802;

North Carolina: Cherokee Hospital, $25,485;

North Dakota: Turtle Mountain Hospital, $44,190; Fort Berthold Hospital, $21,485; Fort Totten Hospital, $24,930; Standing Rock Hospital, $36,655;

Oklahoma: Cheyenne and Arapahoe Hospital, $38,016; Talihina Sanatorium and Hospital, $207,504; Shawnee Sanatorium, $114,385; Claremore Hospital, $89,815; Clinton Hospital, $23,420; Pawnee and Ponca Hospital, $41,017; Kiowa Hospital, $155,200; William W. Hastings Hospital, $77,625;

Oregon: Warm Springs Hospital, $21,205;

South Dakota: Crow Creek Hospital, $23,395; Pine Ridge Hospitals, $64,992; Rosebud Hospital, $52,490; Yankton Hospital, $25,146; Cheyenne River Hospital, $40,385; Sioux Sanatorium, $153,295; Sisseton Hospital, $37,950;

Utah: Uintah Hospital, $32,346;

Washington: Yakima Sanatorium, $42,941; Tacoma Sanatorium, $388,490; Tulalip Hospital, $12,875; Colville Hospital, $40,842;

Wisconsin: Hayward Hospital, $42,271; Tomah Hospital, $36,373;

Wyoming: Wind River Hospital, $32,665;

Provisos.
Interchange of amounts.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation: *Provided further*, That in the discretion of the Secretary of the Interior and under such rules and regulations as may be prescribed by him, fees may be collected from Indians for medical, hospital, and dental service and any fees so collected shall be covered into the Treasury of the United States.

Contributions by nonreservation boarding schools.

Collection of fees.

Medical relief in Alaska.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and traveling expenses of employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $550,680, to be available immediately and to remain available until June 30, 1944.

GENERAL SUPPORT AND ADMINISTRATION

For general administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $2,620,870: *Provided*, That in the discretion of the Secretary of the Interior, and under such rules and regulations as may be prescribed by him, fees may be collected from individual Indians for services performed for them, and any fees so collected shall be covered into the Treasury of the United States.

Proviso.
Collection of fees.

25 USC 526.
Support, etc., of needy Indians.

⊥For general support and rehabilitation of needy Indians in the United States, $925,000, of which amount not to exceed $1,000 shall be available for expenses of Indians participating in folk festivals, and not to exceed $44,750 shall be available for administrative expenses incident thereto, including personal services in the District of Columbia (not to exceed $39,700) and elsewhere.

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, $91,160, to be immediately available, and to remain available until June 30, 1944, including not to exceed $40,000 of said amount to be used for exterminating wolves and coyotes.

Reindeer service

Extermination of wolves and coyotes

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Support of Indians, etc., under specified agencies

Arizona: Fort Apache, $60,000; Navajo, $4,900, including all necessary expenses of holding a tribal fair, erection of structures, awards for exhibits and events, feeding of livestock, and labor and materials; Pima (Camp McDowell), $360; San Carlos, $4,240; Truxton Canon, $13,000; in all, $82,500;

California: Mission, $26,000;

Colorado: The unexpended balance of the appropriations under this head (Southern Ute and Ute Mountain) for the fiscal year 1942, including the purchase of land, the subjugation thereof, and the construction of improvements thereon, is hereby continued available until June 30, 1943, for the purposes hereof;

Idaho: Fort Hall, $1,200; Northern Idaho (Nez Perce), $200, including the purchase of land, title to which shall be taken in the name of the United States in trust for the Nez Perce Indians;

Iowa: Sac and Fox, $630;

Minnesota: Consolidated Chippewa, $1,600 for salary and incidental expenses of the secretary of the tribal executive committee;

Montana: Flathead, $24,000;

Nevada: Western Shoshone, $2,000;

North Carolina: Cherokee, including the construction of a community building, $10,000;

Oregon: Klamath, $118,975, of which not to exceed $4,500 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary of the Interior;

Utah: Uintah and Ouray, $11,000, of which amount not to exceed $4,000 shall be available for the payment of an agent employed under a contract approved by the Secretary of the Interior;

Washington: Colville, $5,400; Puyallup, $1,300 for upkeep of the Puyallup Indian cemetery; Taholah (Makah), $6,600, including the purchase of land, title to which shall be taken in the name of the United States in trust for the Makah Indians; Yakima, $1,300 (Yakima, $300; Lummi, $1,000, including the purchase of land, title to which shall be taken in the name of the United States in trust for the Lummi Indians); Tulalip, $5,000; in all, $19,600;

Wisconsin: Keshena, $83,725; including $25,000, of which not exceeding $5,000 shall be available for general relief purposes and not exceeding $20,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends and $5,200 for the compensation and expenses of an attorney or firm of ⊥attorneys employed by the tribe under a contract approved by the Secretary of the Interior: *Provided,* That not to exceed $6,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee Advisory Council and tribal delegates when engaged on business of the tribe at rates to be determined by

⊥527

Proviso.
Salaries, etc., of Menominee tribal officers

the Menominee general council and approved by the Commissioner of Indian Affairs;

In all, not to exceed $381,430.

Chippewa Indians, Minn.

Relief of Chippewa Indians in Minnesota (tribal funds): Not to exceed $49,375 of the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat. 645), may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians including boarding-home care of pupils attending public, private, or high schools.

Relief of needy Indians.

Relief of needy Indians: For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $100,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, United States Revised Statutes, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

Proviso.
41 U. S. C. § 5.
18 U. S. C. §§ 744a-744h.

Five Civilized Tribes, Okla.
Expenses of tribal officers.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries of $3,000 each for the said governor, said chief, and said mining trustee, chief of the Creek Nation at $600 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Proviso.

Osage Agency, Okla.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, $188,670, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That not more than $1,800 may be used for the employment of a curator for the Osage Museum, which employee shall be an Osage Indian and shall be appointed without regard to civil-service laws and regulations upon the recommendation of the Osage tribal council: *Provided further*, That this appropriation shall be available, for traveling and other expenses, including not to exceed $5 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, of members of the tribal council and other members of the tribe, when engaged on tribal business, including ⊥visits to the District of Columbia when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Provisos.
Curator, Osage Museum.

Traveling expenses, etc.

⊥528

Tribal councils, etc.
Expenses.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $5 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, and including not more than $10,000 for visits to Washington, District of Columbia, when duly authorized

or approved in advance by the Commissioner of Indian Affairs, $25,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than $5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations when in Washington, for more than an eight-day period, unless the Secretary of the Interior shall in writing approve a longer period.

Provisos.

Compensation and expenses of attorneys, Makah Reservation, Washington (tribal funds): Not to exceed $1,700 of the funds on deposit to the credit of the Makah Indians, Washington, is hereby made available for the fiscal years 1942 and 1943 for payment of the compensation and expenses of an attorney employed by the Makah Tribe under a contract executed August 6, 1941, and approved by the Secretary of the Interior in accordance with law.

Makah Reservation, Wash.

Expenses of attorneys, Northern Cheyenne Tribe, Tongue River Reservation, Montana (tribal funds): For expenses of an attorney or attorneys employed by the Northern Cheyenne Tribe of Indians of the Tongue River Reservation under a contract approved by the Assistant Secretary of the Interior on March 15, 1941, $600, payable from funds on deposit in the Treasury to the credit of said tribe of Indians.

Northern Cheyenne Tribe, Tongue River Reservation, Mont.

Compensation and expenses of attorneys, Confederated Salish and Kootenai Tribes, Montana (tribal funds): For compensation and expenses of an attorney or attorneys employed by the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, under a contract approved by the Secretary of the Interior on May 9, 1941, $5,600, payable from funds on deposit to the credit of such tribes.

Confederated Salish and Kootenai Tribes, Mont.

For compromise settlement of a claim asserted by the intervenors in a suit styled United States versus United States Fidelity and Guaranty Company et al., filed in the United States District Court for the Eastern District of Oklahoma under the Act of April 26, 1906 (34 Stat. 137), $2,500, payable from funds on deposit to the credit of the Choctaw and Chickasaw Tribes of Indians.

Compromise settlement of designated claim.

That the Secretary of the Interior be, and he is hereby, authorized to pay to the enrolled members of the Seminole Tribe of Indians of Oklahoma entitled under existing law to share in the funds of said tribe, or to their lawful heirs, out of any money belonging to said tribe in the United States Treasury or deposited in any bank or held by an official under the jurisdiction of the Secretary of the Interior, not to exceed $50 per capita; *Provided*, That said payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That in cases where such enrolled members or their heirs are Indians who belong to the restricted class the Secretary of the Interior may, in his discretion, withhold such payments and use same for the benefit of such restricted Indians: ⊥*Provided further*, That the money paid to the enrolled members or their heirs as provided herein shall be exempt from any lien for attorneys' fees or other debt contracted prior to the passage of this Act: *And provided further*, That the Secretary of the Interior is hereby authorized to use not to exceed $1,500 out of said Seminole tribal funds for the payment of salaries of necessary employees and other expenses for the distribution of said per capita payments.

Seminole Tribe, Okla. Per capita payments.

Provisos.
Rules and regulations.
Restricted Indians.

⊥529
Exemption from certain liens.

Administration expenses.

ROADS AND BRIDGES

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, and that portion of the State highway in New Mexico between Gallup, New Mexico, and Window Rock, Arizona, serving the Navajo Reservation, $20,000, reimbursable, as authorized by the Act of May 28, 1941.

Gallup-Shiprock Highway, N. Mex.

55 Stat. 207.

Reservation roads.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (25 U. S. C. 318a), as supplemented and amended, and September 5, 1940 (Public, No. 780), $1,253,000, to be immediately available and to remain available until expended: *Provided,* That not to exceed $10,000 of the foregoing amount may be expended for personal services in the District of Columbia: *Provided further,* That not to exceed $90,000 of this appropriation shall be available for lease, construction, or repair of structures for housing road materials, supplies, and equipment, and for quarters for road crews but the cost of any structure erected hereunder shall not exceed $5,000.

45 Stat. 750.
54 Stat. 870.
25 U. S. C. § 318b.
Provisos.
Personal services.

Structures for housing road materials, etc.

Grand Portage Indian Reservation, Minn.
Highway.

The State of Minnesota is hereby authorized to acquire by condemnation under judicial process, for use for highway purposes in connection with State Trunk Highway Numbered 61, also designated as United States Highway Numbered 61, any lands or interests in lands within the Grand Portage Indian Reservation in Cook County, Minnesota. The United States District Court for the District of Minnesota shall have jurisdiction of proceedings for such condemnation. The practice, pleadings, forms, and modes of proceedings in proceedings for such condemnation shall conform, as near as may be, to the practice, pleadings, forms, and proceedings in like cases in the courts of record in the State of Minnesota.

Seneca Indian School property, Ottawa County, Okla.
Highway.

The State of Oklahoma is hereby authorized to acquire by condemnation, under judicial process, for use for highway purposes in connection with the highway designated as United States Highway Numbered 60, any lands or interests in lands within the Seneca Indian School property in Ottawa County, Oklahoma. The United States District Court for the Northern District of Oklahoma shall have jurisdiction of proceedings for such condemnation. The practice, pleadings, forms, and modes of proceedings in proceedings for such condemnation shall conform, as near as may be, to the practice, pleadings, forms, and proceedings in like cases in the courts of record in the State of Oklahoma.

CONSTRUCTION AND REPAIR

School, agency, hospital, etc., buildings and utilities.

For the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way when necessary, and including the purchase of furniture, furnishings, and equipment, as follows:

Alaska: Schools and quarters, $18,000; general repairs and improvements, $25,000;

Blackfeet, Montana: Improvements to utilities, $6,000;

Carson, Nevada: Improvements to utilities, $3,500;

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⊥Cheyenne River, South Dakota: Improvements to utilities, $42,000;

Crow Creek, South Dakota: General repairs and improvements, $4,500;

Fort Apache, Arizona: Remodeling school dormitory for sanatorium use, $35,000;

Fort Belknap, Montana: Improvements to utilities, $11,500;

Klamath, Oregon: Garage, $5,000;

Mescalero, New Mexico: General repairs and improvements, $5,000;

Navajo, Arizona: Improvements to utilities, $5,000;

Pine Ridge, South Dakota: Warehouse and office, $4,000;

Tacoma, Washington: Sanatorium and general hospital plant, $95,000;

Warm Springs, Oregon: Improvements to utilities, $4,000;

Winnebago, Nebraska: Improvements to utilities, $15,000;

Administrative expenses.

For administrative expenses, including personal services in the District of Columbia (not exceeding $40,000) and elsewhere; not to exceed $750 for printing and building; purchase of periodicals, directo-

ries, and books of reference; purchase and operation of motor-propelled passenger-carrying vehicles; traveling expenses of employees; rent of office and storage space; telegraph and telephone tolls; and all other necessary expenses not specifically authorized herein, $88,110; in all, $366,610, to be immediately available and to remain available until completion of the projects: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer.

Proviso.
Transfer of amounts.

The appropriation contained in the Interior Department Appropriation Act, 1942, for cooperation with public-school districts in the State of Minnesota in the construction, extension, equipment, and improvement of public-school facilities as authorized by and in conformity with the Act of July 1, 1940 (Public, Numbered 696), and the Act of October 8, 1940 (Public, Numbered 804), shall remain available until completion of the projects.

Minnesota public school districts.
55 Stat. 330.

54 Stat. 707, 1020.

ANNUITIES AND PER CAPITA PAYMENTS

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Senecas, N. Y.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Six Nations, N. Y.
7 Stat. 46.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Choctaws, Okla.
7 Stat. 99.
11 Stat. 614.

7 Stat. 213.
7 Stat. 212, 236.

7 Stat. 235.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Pawnees, Okla.
11 Stat. 729, 27 Stat. 644.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $200,000.

Indians of Sioux reservations.

⊥For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $725,000.

⊥531
Interest on trust funds, payments.

Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including nonreservation boarding schools and for conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Indian Service.

Availability of funds for purchase of supplies, etc.

Appropriations made for the Indian Service for the fiscal year 1943 shall be available for travel expenses of employees on official business; the purchase of ice, and the purchase of rubber boots for official use of employees.

Travel expenses, etc.

The appropriations available for expenditure for the benefit of the natives of Alaska may be used for the payment of traveling expenses of new appointees from Seattle, Washington, or from any point within Alaska, to their posts of duty in Alaska, and of traveling expenses,

Alaska.
Traveling expenses of new appointees.

packing, crating, and transportation (including drayage) or personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

BUREAU OF RECLAMATION

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⊥GENERAL FUND, CONSTRUCTION

Construction of designated projects, etc.

For continuation of construction of the following projects and for general investigations and administrative expenses in not to exceed the following amounts, respectively, to be expended from the general fund of the Treasury in the same manner and for the same objects of expenditures as specified for projects included hereinbefore in this Act under the caption "Bureau of Reclamation" under the heading "Administrative provisions and limitations", but without regard to the amounts of the limitations therein set forth, to be immediately available, to remain available until expended, and to be reimbursable under the reclamation law:

Ante, p. 531.

* * *

Post, p. 650.

Central Valley project, California, $39,019,000;

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⊥GEOLOGICAL SURVEY

* * *

1538

38 Stat. 742, 40 Stat. 297; 41 Stat. 437, 1363

⊥Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 (48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and sub-⊥sistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $339,750, of which amount not to exceed $65,000 may be expended for personal services in the District of Columbia,

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1548

⊥NATIONAL PARK SERVICE

* * *

1549

⊥Glacier National Park, Montana: For administration, protection, maintenance, and improvement, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $1,450 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $198,480.

* * *

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⊥Roads and trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including the Boulder Dam National Recreational Area, and other areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (16 U. S. C. 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, to be immediately available and to remain

Boulder Dam National Recreational Area.

46 Stat. 1053

available until expended, $179,850: *Provided*, That not to exceed $55,000 of the amount herein appropriated may be expended for personal services in the District of Columbia: *Provided further*, That no part of this appropriation shall be available for road construction in the Kings Canyon National Park, California, except on the floor of the canyon of the south fork of the Kings River.

Provisos.
Personal services.

Kings Canyon National Park, Calif.

* * *

⊥FISH AND WILDLIFE SERVICE ⊥554

For the employment of persons and means in the city of Washington and elsewhere, including the purchase of printed bags, tags, and labels, without regard to existing laws applicable to public printing, traveling and all other expenses necessary in conducting investigations and carrying out the work of the Service, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

SALARIES AND EXPENSES

* * *

The unobligated balance of the appropriation remaining under the limitation of $155,000 to establish or commence the establishment of stations authorized by the Act approved May 21, 1930 (46 Stat. 371), contained in the Department of Commerce Appropriation Act, 1940, under the head "Propagation of food fishes", which was continued available during the fiscal year 1942, is continued available during the fiscal year 1943, and the unobligated balance of the appropriation remaining under the limitation of $120,000 for the establishment of stations in Arkansas and Mississippi, for the purchase of a fish-cultural station in Oklahoma, and for the further development of the stations at Lamar, Pennsylvania, and on Williams Creek, on the Fort Apache Indian Reservation in Arizona, contained in the Interior Department Appropriation Act, fiscal year 1941, under the head "Propagation of food fishes" is continued available during the fiscal year 1943.

Establishment of stations, etc.
Reappropriation.

53 Stat. 917.
55 Stat. 353.

54 Stat. 454.

Operation and maintenance of fish screens: For operation and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and for determining the requirements for fishways and other fish protective devices at dams constructed ⊥under licenses issued by the Federal Power Commission in accordance with the provisions of the Federal Water Power Act (16 U. S. C. 791), $11,350.

⊥555

41 Stat. 1063.

* * *

Approved, July 2, 1942.

[CHAPTER 476]

AN ACT

July 2, 1942
[H. R. 7232]
[Public Law 648]
56 Stat. 593

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1942, and for prior fiscal years, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1942, and for prior fiscal years, and for other purposes, namely:

Second Deficiency Appropriation Act, 1942.

* * *

⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS ⊥602

* * *

1604 ⊥AUDITED CLAIMS

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1939 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 788, Seventy-seventh Congress, there is appropriated as follows:

18 Stat. 110.

23 Stat. 254.

* * *

1606 **⊥Department of the Interior:**

* * *

For conservation of health among Indians, $19.69.

For Indian school support, $673.32.

For support of Indians and administration of Indian property, $122.81.

For Indian boarding schools, $190.70.

For agriculture and stock raising among Indians, $1.10.

For water supply for Indians in Arizona and New Mexico, 40 cents.

For maintaining law and order on Indian reservations, $9.81.

For obtaining employment for Indians, $26.40.

For maintenance, irrigation systems, Wind River Reservation and ceded lands, Wyoming (receipt limitation), $151.43.

For maintenance, irrigation systems, Flathead Reservation, Montana (receipt limitation), $24.25.

For Indian service supply fund, $54.43.

For emergency conservation work (transfer to Interior, Indians, Act February 9, 1937), $5.09.

For Civilian Conservation Corps (transfer to Interior, Indians), $290.02.

* * *

1608 ⊥(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1939 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 224, Seventy-seventh Congress, there is appropriated as follows:

18 Stat. 110.

23 Stat. 254.

* * *

1609 **⊥Department of the Interior:**

For industry among Indians, $4.59.

* * *

Approved, July 2, 1942.

[CHAPTER 479]

July 2, 1942
[H. J. Res. 324]
[Public Law 651]
56 Stat. 634

JOINT RESOLUTION

Making appropriations for work relief and relief for the fiscal year ending June 30, 1943.

Emergency Relief Appropriation Act, fiscal year 1943.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "Emergency Relief Appropriation Act, fiscal year 1943."

FEDERAL WORKS AGENCY

Ante, p. 405.

* * *

⊥GENERAL AND SPECIAL PROVISIONS

⊥1637

* * *

⊥SEC. 9. (a) In employing or retaining in employment on Work Projects Administration work projects, preference shall be given to veterans of any war, campaign, or expedition in which the United States has been engaged . . .

⊥1639

Preference in employment

* * *

. . . and unmarried widows of any such veterans, and the wives of any such veterans who are unemployable, who have been certified as in need of employment by the Work Projects Administration or by any agency designated by it to so certify: . . .

* * *

. . . Thereafter preference in such employment shall be given on the basis of relative needs, as far as practicable, to other American citizens, Indians, and other persons owing allegiance to the United States who are in need.

Approved, July 2, 1942.

[CHAPTER 494]

AN ACT

July 8, 1942
[H. R. 2989]
[Public Law 659]
56 Stat. 650

To authorize the use of a tract of land in California known as the Millerton Rancheria in connection with the Central Valley project, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be used for any and all purposes in connection with the Central Valley project in California, as authorized by the Acts of April 8, 1935 (49 Stat. 115), and August 26, 1937 (50 Stat. 850), the following-described land situated in the county of Madera, State of California:

Central Valley project, Calif.
Use of certain land authorized

Description

The north half of the southeast quarter and lots 2 and 3 of section 33, township 10 south, range 21 east, Mount Diablo meridian, containing one hundred and forty and eighty-six one-hundredths acres.

Termination of Indian rights, etc.

SEC. 2. That all right, title, and interest of the Indians, or any of them, to such land is hereby terminated.

Purchase of other lands

SEC. 3. That since said land was originally acquired by the United States for the use of Indians in California in accordance with the Act of June 21, 1906 (34 Stat. 325, 333), there is hereby made available for expenditure by the Secretary of the Interior, from moneys now or hereafter available for the construction of the Central Valley project, the sum of $2,800 for the purchase of other lands or interests in lands for the same uses and purposes as authorized by said Act of June 21, 1906.

Ante, p. 536.

Administration.

SEC. 4. The Secretary of the Interior is authorized to perform any and all acts and to prescribe such regulations as may be deemed necessary to carry out the provisions of this Act.

Approved, July 8, 1942.

[CHAPTER 516]

AN ACT

July 22, 1942
[H. R. 6709]
[Public Law 674]
56 Stat. 664

Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture for the fiscal year ending June 30, 1943, namely:

Department of Agriculture Appropriation Act, 1943.
Ante, p. 652.

DEPARTMENT OF AGRICULTURE

* * *

⊥673

⊥BUREAU OF ANIMAL INDUSTRY

SALARIES AND EXPENSES

* * *

⊥675

⊥Eradicating cattle ticks: For the eradication of southern cattle ticks, $276,000: . . .

* * *

Purchase of beef for Seminole Indians, Fla.

. . .: *Provided further*, That not to exceed $5,000 of the amount herein made available may be used to purchase and supply beef to the Seminole Indians of the Big Cypress Swamp area, Hendry County, Florida, during the time that deer infested with cattle ticks are being removed from said area and until such area is restocked with deer: *Provided further*, That the Secretary of Agriculture, his agent or agents, in cooperation with the duly constituted authorities of the State of Florida, is authorized to conduct tick eradication on the Seminole Indian Reservation in the State of Florida under the provisions of the laws of that State.

Tick eradication, Seminole Indian Reservation, Fla.

* * *

Approved, July 22, 1942.

[CHAPTER 524]

July 25, 1942
[H. R. 7319]
[Public Law 678]
56 Stat. 704

AN ACT

Making supplemental appropriations for the national defense for the fiscal year ending June 30, 1943, and for other purposes.

First Supplemental National Defense Appropriation Act, 1943.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the national defense for the fiscal year ending June 30, 1943, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥715

⊥DEPARTMENT OF THE INTERIOR

* * *

⊥716
Ante, p. 512

⊥BUREAU OF INDIAN AFFAIRS

Payment to Middle Rio Grande Conservancy District, New Mexico: For payment to the Middle Rio Grande Conservancy District, New Mexico, in accordance with the provisions of the Act of February 10, 1942 (Public Law 447, Seventy-seventh Congress), fiscal year 1943, $22,415.43, to be reimbursed to the United States in accordance with existing law.

Ante, p. 86.

* * *

Approved, July 25, 1942.

[CHAPTER 629]

October 28, 1942
[H. R. 7672]
[Public Law 763]
56 Stat. 990

AN ACT

Making supplemental appropriations for the national defense for the fiscal year ending June 30, 1943, and for other purposes.

Second Supplemental National Defense Appropriation Act, 1943.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the national defense for the fiscal year ending June 30, 1943, and for other purposes, namely:

* * *

⊥994

⊥TITLE II—GENERAL APPROPRIATIONS

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥1002

BUREAU OF INDIAN AFFAIRS *Ante*, p. 512

Compensation and expenses of an attorney or attorneys, Shoshone Tribe of Indians, Wyoming (tribal funds): For compensation and expenses of an attorney or attorneys under a contract approved by the Assistant Secretary of the Interior on February 13, 1942, $18,000, or so much thereof as may be necessary, payable from funds on deposit in the Treasury to the credit of such tribe of Indians; and the amount herein appropriated shall be available for compensation earned and expenses incurred during the period covered by said contract.

* * *

⊥TITLE III—JUDGMENTS AND AUTHORIZED CLAIMS ⊥1006

* * *

⊥JUDGMENTS, UNITED STATES COURT OF CLAIMS ⊥1007

SEC. 303. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-seventh Congress in Senate Documents Numbered 255 and 267, under the following departments and establishments, namely:

Executive departments:

Interior:

* * *

Indians, $5,622.06;

* * *

AUDITED CLAIMS

SEC. 304. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1940 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 258, Seventy-seventh Congress, there is appropriated as follows: 18 Stat. 110. 23 Stat. 254.

* * *

⊥**Department of the Interior:** ⊥1008

For education of natives of Alaska, $239.60.

* * *

For medical relief of natives of Alaska, $15.31.

* * *

⊥For agriculture and stock raising among Indians, $15.40. ⊥1009

For conservation of health among Indians, $113.55.

For general expenses, Indian Service, $200.

For Indian boarding schools, $7.62.

For Indian school support, $64.94.

For purchase and transportation of Indian supplies, $231.85.

For support of Indians and administration of Indian property, $36.63.

For Civilian Conservation Corps (transfer to Interior, Indians), $105.56.

* * *

Approved, October 26, 1942.

[CHAPTER 630]

October 28, 1942
[S. 2369]
[Public Law 764]
56 Stat. 1011

AN ACT

For the acquisition of Indian lands required in connection with the construction, operation, and maintenance of electric transmission lines and other works, Parker Dam power project, Arizona-California.

Parker Dam power project.
Acquisition of Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in aid of the construction of the Parker Dam power project, there is hereby granted to the United States, subject to the provisions of this Act, such right, title, and interest of the Indians as may be required in and to such tribal and allotted lands as may be designated by the Secretary of the Interior from time to time for the construction, operation, and maintenance of electric transmission lines and other works of the project or for the relocation or reconstruction of properties made necessary by the construction of the project.

Compensation.

SEC. 2. As lands or interests in lands are designated from time to time under this Act, the Secretary of the Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation therefor. The amounts due the tribe and the individual allottees or their heirs or devisees shall be paid from funds now or hereafter made available for the Parker Dam power project to the superintendent of the appropriate Indian agency, or such other officer as may be designated by the Secretary of the Interior, for credit on the books of such agency to the accounts of the tribe and the individuals concerned.

Use of designated funds.

SEC. 3. Funds deposited to the credit of allottees, their heirs, or devisees, may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements, or the relocation of existing improvements or construction of new improvements on the lands so acquired for the allottees or heirs whose lands and improvements are acquired under the provisions of this Act. Lands so acquired shall be held in the same status as those from which the funds were derived, and shall be nontaxable until otherwise provided by Congress.

Authority of Secretary of Interior

SEC. 4. The Secretary of the Interior is hereby authorized to perform any and all acts and to prescribe such regulations as he may deem appropriate to carry out the provisions of this Act.

Approved, October 28, 1942.

[CHAPTER 640]

November 24, 1942
[H. R. 4533]
[Public Law 774]
56 Stat. 1021

AN ACT

To provide for the disposition of trust or restricted estates of Indians dying intestate without heirs.

Indians dying intestate without heirs.
Escheat of certain property to designated tribe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon final determination by the Secretary of the Interior that the Indian holder of a trust or restricted allotment of lands or an interest therein has died intestate without heirs, the lands or interest so owned, together with all accumulated rents, issues, and profits therefrom held in trust for the decedent, shall escheat to the tribe owning the land at the time of allotment subject to the payment of such creditors' claims as the Secretary of the Interior may find proper to be paid from the cash on hand or income accruing to said estate and subject to all valid existing agricultural, surface, and mineral leases and the rights of any person thereunder.

Successor tribe.

If the tribe which owned the land at the time of allotment has been reorganized or reconstituted by reason of amalgamation with another tribe or group of Indians or of subdivision within the tribe or otherwise, the land shall escheat to the tribe or group which has

succeeded ⊥to the jurisdiction of the original tribe over the area in question. If neither the tribe which owned the land at the time of allotment nor a successor tribe or group exists, the land or interest therein shall be held in trust for such Indians as the Secretary may designate within the State or States wherein the land is situated or, if the Secretary determines that the land cannot appropriately be used by or for such Indians, it shall be sold, subject to all valid existing agricultural, surface, and mineral leases and the rights of any person thereunder, and the proceeds of such sale shall be held in trust for such Indians as the Secretary may designate, within the State or States wherein the land is situated.

⊥1022

Disposition if neither tribe exists.

SEC. 2. If an Indian found to have died intestate without heirs was the holder of a restricted allotment or homestead or interest therein on the public domain, the land or interest therein and all accumulated rents, issues, and profits therefrom shall escheat to the United States, subject to all valid existing agricultural, surface, and mineral leases and the rights of any person thereunder, and the land shall become part of the public domain subject to the payment of such creditors' claims as the Secretary of the Interior may find proper to be paid from the cash on hand or income accruing to said estate: *Provided*, That if the Secretary determines that the land involved lies within or adjacent to an Indian community and may be advantageously used for Indian purposes, the land or interest therein shall escheat to the United States to be held in trust for such needy Indians as the Secretary of the Interior may designate, where the value of the estate does not exceed $2,000, and in case of estates exceeding said sum, such estates shall be held in trust by the United States for such Indians as the Congress may hereafter designate, subject to all valid existing agricultural, surface, and mineral leases and the rights of any person thereunder.

Allotments, etc., on public domain.
Escheat to the U.S.

Proviso.

SEC. 3. The provisions of this Act shall not apply to the Indians of the Five Civilized Tribes or the Osage Reservation, in Oklahoma.

Nonapplicability.

SEC. 4. The proviso in section 12 of an Act entitled "An Act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes", approved June 25, 1910 (36 Stat. 855, 858), is hereby repealed.

Repeal.

Approved, November 24, 1942.

[CHAPTER 673]

AN ACT

December 4, 1942
[H. R. 4321]
[Public Law 787]
56 Stat. 1039

For the benefit of the Chippewa Indians of Minnesota.

Chippewa Indians of Minnesota.
Segregation of certain ceded lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the execution of proper relinquishments by the duly authorized tribal officials of the Red Lake Band and the Minnesota Chippewa Tribe, all right, title, and interest of the Minnesota Chippewa Tribe in and to the so-called Red Lake Indian ceded lands, including any administrative reserves, is hereby declared extinguished and title thereto vested in the Red Lake Band of Chippewa Indians; and all right, title, and interest of the Red Lake Band of Chippewa Indians in and to the ceded lands restored to the Chippewa Indians of Minnesota, including any administrative reserves, is hereby declared extinguished and title thereto vested in the Minnesota Chippewa Tribe. The lands involved shall continue to be held in trust by the United States, and any funds hereafter derived from said lands shall be the property of the respective band or tribe of Chippewa Indians vested with title to the lands.

Approved, December 4, 1942.

[CHAPTER 679]

December 5, 1942
[H. R. 4578]
[Public Law 789]
56 Stat. 1040

AN ACT

To authorize certain corrections in the tribal membership roll of the Puyallup Tribe of Indians in the State of Washington, and for other purposes.

Puyallup Indians, Wash.
Corrections in tribal membership roll

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to correct the tribal membership roll of the Puyallup Tribe of Indians approved by the First Assistant Secretary of the Interior on May 12, 1930, pursuant to the Act of June 30, 1919 (41 Stat. 9), by striking therefrom the name of Grace Taylor, Roll Numbered 261, and by adding the name of Annie Sloan and the name of Lawrence Charles Williams. The said Secretary is further authorized and directed to cause to be paid, respectively, to said Annie Sloan or her heirs, from any funds to the credit of said Grace Taylor in the custody of the United States, or from any tribal funds to the credit of the Puyallup Indian Tribe, her distributive share of any payments made from the Puyallup tribal funds since May 12, 1930.

25 U. S. C. § 163

Distribution of authorized sum

SEC. 2. That when the corrections authorized in section 1 hereof shall have been made, the sum of $228,525, authorized to be appropriated by the Act of August 11, 1939 (53 Stat. 1405), for the acquisition of complete title to the Puyallup Indian Tribal School prop-⊥erty at Tacoma, Washington, for Indian sanatorium purposes, shall be distributed by the Secretary of the Interior, under such rules and regulations as he may prescribe, to those persons, or their heirs, whose names appear on the said roll approved on May 12, 1930, as herein modified, and section 2 of said Act of August 11, 1939, is hereby amended accordingly.

⊥1041

Approved, December 5, 1942.

[CHAPTER 813]

December 24, 1942
[S. 2385]
[Public Law 833]
56 Stat. 1080

AN ACT

To provide for the probate and distribution of restricted estates not exceeding $2,500 in value of deceased Indians of the Five Civilized Tribes in Oklahoma.

Five Civilized Tribes, Okla.
Probate and distribution of restricted estates

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That exclusive jurisdiction is hereby conferred on the Secretary of the Interior to determine the heirs after notice and hearing under such rules and regulations as he may prescribe, and to probate the estate of any ⊥deceased restricted Indian enrolled or unenrolled, of the Five Civilized Tribes of Oklahoma, whenever the restricted estate consists only of funds or securities under the control of the Department of the Interior of an aggregate value not exceeding $2,500: *Provided*, That where such decedent died prior to the effective date of this Act, the distribution of such funds and securities, including the decedent's share of any tribal funds, shall be made in accordance with the statute of descent and distribution applicable at the date of death: *And provided further*, That where the decedent dies subsequently to the effective date of this Act distribution of all such funds and securities, including tribal funds aforesaid, shall be effected in accordance with the statute of descent and distribution of the State of Oklahoma.

⊥1081

Provisos.
Applicable statutes of descent and distribution.

Fees.

SEC. 2. Prior to distribution of the estate to the individuals found entitled thereto under the provisions of section 1 of this Act, the Secretary of the Interior shall collect out of the funds or other property involved and pay into the Treasury of the United States a fee of $20 in those cases where the value of the estate is $250 or more but does not exceed $1,000; a fee of $25 where the value of the estate is more than $1,000 but less than $2,000; and a fee of $30 where the value of the estate is $2,000 or more.

Approved, December 24, 1942.

[CHAPTER 814]

AN ACT

December 24, 1942
[S. 2744]
[Public Law 834]
56 Stat. 1081

To reimpose the trust on certain lands allotted to Indians of the Klamath River Reservation, California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the period of trust on lands allotted to Indians of the Klamath River Reservation, California, which expired July 31, 1919, and the legal title to which is still in the United States, is hereby reimposed and extended for a period of twenty-five years from July 31, 1919: *Provided*, That further extension of the period of trust may be made by the President, in his discretion, as provided by section 5 of the Act of February 8, 1887 (24 Stat. 388), and the Act of June 21, 1906 (34 Stat. 326).

Klamath River Reservation, Calif.
Trust on certain lands reimposed

Proviso.

25 U. S. C. §§ 348, 391

Approved, December 24, 1942.

[CHAPTER 815]

AN ACT

December 24, 1942
[S. 2829]
[Public Law 835]
56 Stat. 1081

To eliminate certain lands from the Wapato Indian irrigation project, Yakima Reservation, Washington, cancel and adjust certain charges, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the action of the Secretary of the Interior taken on the 9th day of September 1942, pursuant to the Act of June 22, 1936 (49 Stat. 1803), affecting certain lands of the Wapato Indian irrigation project, Yakima Reservation, Washington, is hereby confirmed as follows: (a) The elimination from the project of three hundred and eighty-six and one one-hundredth acres of land described in the Secretary's order; (b) the cancelation of $14,512.03, representing unpaid assessments against the land for construction, operation, maintenance, and penalties; (c) the cancelation of $860.38 of accrued operation, maintenance, and penalties against land not eliminated from the project; (d) the credit of $58 on future operation and maintenance assessments against the southwest quarter northeast quarter, section 7, township 10 north, ⊥range 19 east, Washington meridian; (e) the cancelation, adjustment, or modification in proper cases of agreements previously executed; (f) the adjustments of project areas and the cancelations and adjustments dealt with in the Secretary's order, upon the condition, stated in the order, that the owners of the lands affected who retain any irrigable land within the Wapato project shall promptly settle any delinquent irrigation charges against the land retained in the project, either by cash payment or by the execution of contracts providing for the deferment of the amounts due.

Wapato Indian irrigation project, Wash.

25 U. S. C. §§ 389, 389e

Elimination of certain lands

Cancelation or adjustment of charges

⊥1082

SEC. 2. Any assessments made against the lands eliminated from the project pending the confirmation of the Secretary's order are canceled and all payments made on account of any such assessments shall be credited to the lands retained in the project by the respective owners.

Cancelation of assessments; credit of payments

SEC. 3. In order to prevent the accumulation of delinquent project assessments or other proper charges against the lands described in the said order of the Secretary of the Interior and to protect all sums due the Government by the project landowners, the Secretary of the Interior is hereby authorized, in his discretion, to take such action as he may deem necessary, including the foreclosure of the Government's first lien for such unpaid charges created by the Act of May 18, 1916 (39 Stat. 154), or any other Act of Congress.

Delinquent charges

Approved, December 24, 1942.

[CHAPTER 816]

AN ACT

December 24, 1942
[S. 2830]
[Public Law 836]
56 Stat. 1082

To provide relief to the owners, of former Indian-owned land within the Oroville-Tonasket Irrigation District, Washington, and for other purposes.

Oroville-Tonasket Irrigation District, Wash.

25 U. S. C. §§ 389–389e.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the action of the Secretary of the Interior, by order dated May 19, 1942, taken pursuant to authority contained in the Act of June 22, 1936 (49 Stat. 1803), in the cancelation, deferment, and adjustment of irrigation charges due the United States against nine hundred and eight and forty-seven one-hundredths acres of land formerly in individual Indian ownership, within the Oroville-Tonasket Irrigation District, Washington, is hereby confirmed as follows: (a) The cancelation of $11,963.76 of unpaid construction and operation charges; (b) the conditional cancelation of $28,045.31 of additional unpaid construction and operation charges to become effective upon the repayment, or upon the execution of contracts with individual landowners providing for the repayment in full, of the adjusted balance of $18,537.37 of unpaid like charges; (c) the continuation of the first lien against each allotment of land, notwithstanding any division or partitionment of such allotment resulting in separate ownership of different parts thereof, until the full amount due on the entire allotment has been paid and no refund or repayments shall be made to any landowner on account of any charges heretofore paid; and (d) the requiring of contracts with landowners, where necessary, covering the repayment over a period of years of their proper share of the adjusted balance of $18,537.37 of unpaid construction and operation charges: *Provided*, That the district may pay the said amount in one payment, in which event the lien of the Government shall be assigned to the district.

Cancelation, deferment, and adjustment of irrigation charges.

Proviso.

Repair and rehabilitation of certain irrigation canals.

SEC. 2. The Secretary of the Interior is hereby authorized to enter into a contract with the Oroville-Tonasket Irrigation District, providing for the repair and rehabilitation of certain irrigation canals, laterals, and sublaterals necessary for the delivery of water to irrigate Indian lands, the cost of such construction work not to exceed the sum of $15,000, such contract to require the said irrigation district (1) to [1083] cancel all charges carried on its books as apportioned against the lands of the Indians up to and including the date of the contract; (2) to recognize the prior first lien of the United States for the repayment of the adjusted charges remaining against the former Indian-owned lands approved by section 1 of this Act; and (3) to provide for the transfer of water rights from one tract of Indian-owned land within the said irrigation district to another, where, in the opinion of the Secretary of the Interior, such transfer is desirable and economically advisable in the proper utilization of the Indian lands.

Delinquent charges.

SEC. 3. In order to prevent the accumulation of delinquent project assessments or other charges against the former Indian-owned lands within the Oroville-Tonasket Irrigation District, the Secretary of the Interior is hereby authorized, in his discretion, to take such action as he may deem necessary to protect the adjusted sums due the Government as approved by section 1 of the Act, including the foreclosure of the Government's lien.

Approved, December 24, 1942.

PUBLIC LAWS OF THE SEVENTY-EIGHTH CONGRESS, FIRST SESSION, 1943

[CHAPTER 17]

March 18, 1943
[H. R. 1975]
[Public Law 11]
57 Stat. 21

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1943, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1943, and for other purposes.

First Deficiency Appropriation Act, 1943.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for

the fiscal year ending June 30, 1943, and for prior fiscal-years, to provide supplemental appropriations for the fiscal year ending June 30, 1943, and for other purposes.

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥27

BUREAU OF INDIAN AFFAIRS

General expenses: For an additional amount for advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies, and so forth, fiscal year 1941, $86,100.

Industrial assistance and advancement: For an additional amount for the purpose of encouraging industry and self-support among the Indians, and to aid them in the culture of fruits, grains, and other crops, fiscal year 1943, including the objects specified for the appropriation for this purpose in the Interior Department Appropriation Act, 1943, $50,000: *Provided*, That the limitation of $25,000 on the amount which may be expended on any one reservation is hereby waived. 56 Stat. 516

For an additional amount for payment of interest on moneys held in trust for the several Indian tribes, as authorized by various acts of Congress, fiscal year 1942, $35,000. Interest on trust funds, 1942

To enable the Secretary of the Interior to make payment to Victoria Jessie Lodge Skin, now Standing Bear, in compliance with the Act of December 8, 1942 (Private Law 560, 77th Cong.), $664. 56 Stat. 1228.

* * *

⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS ⊥33

* * *

⊥AUDITED CLAIMS ⊥34

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1940 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of ⊥the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 89, Seventy-eighth Congress, there is appropriated as follows: 18 Stat. 110. ⊥35 23 Stat. 254

* * *

⊥Department of the Interior: ⊥36

* * *

For administration of Indian forests, $340.15.

For agriculture and stock raising among Indians, $5.07.

For conservation of health among Indians, $391.85.

For construction of Sioux sanatorium and employees' quarters, South Dakota, $4.54.

For education of natives of Alaska, $4.67.

For Indian boarding schools, 60 cents.

For Indian school support, $1,336.16.

For maintaining law and order on Indian reservations, $29.95.

For maintenance, San Carlos irrigation project, Gila River reservation, Arizona (receipt limitation), $1.38.

For purchase and transportation of Indian supplies, $144.06.

For support of Indians and administration of Indian property (certified claims), $88.04.

For Civilian Conservation Corps (transfer to Interior, Indians), $262.56.

* * *

⊥38 ⊥(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1940 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 16, Seventy-eighth Congress, there is appropriated as follows:

18 Stat. 110.

23 Stat. 254.

* * *

⊥39 **⊥Department of the Interior:**

For conservation of health among Indians, $80.

For Indian school support, $52.35.

* * *

Approved, March 18, 1943.

[CHAPTER 103]

May 26, 1943
[H. R. 1896]
[Public Law 59]
57 Stat. 85

AN ACT

To amend sections 1 and 2 of the Act approved June 11, 1940 (54 Stat. 262), relating to the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia and to grant the consent of Congress to such States to enter into a compact providing for the acquisition of property for such park.

Cumberland Gap National Historical Park, Tenn., Ky., and Va.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1 and 2 of the Act approved June 11, 1940 (54 Stat. 262; 16 U. S. C., 1940 edition, title 16, secs. 261, 262), relating to the establishment of the Cumberland Gap National Historical Park, are hereby amended to read as follows:

Establishment provisions.

"That when title to such lands, structures, and other property in the Cumberland Gap-Cumberland Ford areas, being portions of the Warriors Path of the Indians and Wilderness Road of Daniel Boone, within Bell and Harlan Counties, Kentucky; Lee County, Virginia; and Claiborne County, Tennessee; as may be determined by the Secretary of the Interior as necessary or desirable for national historical park purposes, shall have been vested in the United States, such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the Cumberland Gap National Historical Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid areas.

Total area.

"SEC. 2. The total area of the Cumberland Gap National Historical Park, as determined pursuant to this Act, shall comprise not less than six thousand acres and shall not exceed fifty thousand acres, and lands may be added to the park following its establishment within the aforesaid limitations. The park shall not include any land within the city limits of Middlesboro and Pineville, Kentucky; Cumberland Gap, Tennessee; which the proper officials thereof shall indicate to the Secretary of the Interior prior to the establishment of said park are required for expansion of said cities.

Lands excluded.

⊥86 Interstate compact.

⊥"(a) The consent of Congress is hereby given to the States of Tennessee, Kentucky, and Virginia to enter into a compact providing for (1) the acquisition of the lands, structures, and other property in the Cumberland Gap-Cumberland Ford areas referred to in section 1 of such Act of June 11, 1940, as amended by this Act, and (2) the transfer of title to such lands, structures, and other property to the United States.

"(b) The right to alter, amend, or repeal this section is hereby expressly reserved."

Approved May 26, 1943.

[CHAPTER 135]

AN ACT

June 22, 1943
[H. R. 1947]
[Public Law 83]
57 Stat. 160

To extend the time within which a suit or suits may be brought under the Act of June 28, 1938 (52 Stat. 1209).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time within which a suit or suits may be brought under the Act entitled "An Act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States and for other purposes", approved June 28, 1938 (52 Stat. 1209), be, and the same hereby is, extended until December 31, 1946.

Ute Indians.
Time extensions for bringing suits.

Approved June 22, 1943.

[CHAPTER 173]

AN ACT

June 28, 1943
[H. R. 2409]
[Public Law 96]
57 Stat. 220

Making appropriations for the Legislative Branch and for the Judiciary for the fiscal year ending June 30, 1944, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch and for the Judiciary for the fiscal year ending June 30, 1944, namely:

Legislative and Judiciary Appropriation Act, 1944.

TITLE I—LEGISLATIVE BRANCH

Legislative Branch Appropriation Act, 1944.
Post, pp. 537, 611.

SENATE

* * *

⊥COMMITTEE EMPLOYEES ⊥221

Clerks and messengers to the following committees:

* * *

. . . Indian Affairs—clerk, $3,900; assistant clerk, $3,600 and $1,400 additional so long as the position is held by the present incumbent; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800.

* * *

⊥HOUSE OF REPRESENTATIVES ⊥225

Post, p. 612.

* * *

⊥COMMITTEE EMPLOYEES ⊥226

Clerks, messengers, and janitors to the following committees:

* * *

. . . Indian Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260.

* * *

Approved, June 25, 1943.

[CHAPTER 182]

AN ACT

July 1, 1943
[H. R. 2397]
[Public Law 105]
57 Stat. 271

Making appropriations for the Departments of State, Justice, and Commerce, for the fiscal year ending June 30, 1944, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not other-⊥ wise appropriated, for the Department of State, Justice, and Commerce, for the fiscal year ending June 30, 1944, namely:

Departments of State, Justice, and Commerce Appropriation Act, 1944

⊥272

Department of State Appropriation Act, 1944.
Post, p. 628.

TITLE I—DEPARTMENT OF STATE

* * *

⊥277
Post, p. 629.

⊥CONTRIBUTIONS, QUOTAS, AND SO FORTH

For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts, as follows:

⊥278

* * *

. . . Inter-American Indian Institute, $4,800;

* * *

Additional sums due to increased rates of exchange

. . . together with such additional sums, due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing amount of the obligation.

* * *

Approved, July 1, 1943.

[CHAPTER 183]

July 1, 1943
[H. R. 332]
[Public Law 106]
57 Stat. 301

AN ACT

To revise the Alaska game law.

Alaska Game Law

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act to establish an Alaska Game Commission, to protect game animals, land fur-bearing animals, and birds in Alaska, and for other purposes", approved January 13, 1925, as amended, is further amended to read as follows:

43 Stat. 739.
48 U. S. C. §§ 192-211

"SEC. 2. DEFINITIONS.—That for the purposes of this Act the following shall be construed, respectively, to mean:

"Commission: The Alaska Game Commission.

"Secretary: The Secretary of the Interior.

"Director: Director, Fish and Wildlife Service, Department of the Interior.

⊥302

⊥"Executive Officer: Executive officer, Alaska Game Commission.

"Territory: Territory of Alaska.

"Person: The plural or the singular, as the case demands, including individuals, associations, partnerships, and corporations, unless the context otherwise requires.

"Indians: Natives of one-half or more Indian blood.

"Eskimo: Natives of one-half or more Eskimo blood.

"Take: Taking, pursuing, disturbing, hunting, capturing, trapping, or killing game animals, fur animals, game or nongame birds, or game fishes; attempting to take, pursue, disturb, hunt, capture, trap, or kill such animals, birds, or game fishes, or setting or using a net, trap, or other device for taking them, or collecting the nests or eggs of such birds, unless the context otherwise requires. Whenever the taking of animals, birds, or nests or eggs of birds, or game fishes is permitted, reference is had to taking by lawful means and in lawful manner.

"Open season: The time during which animals, birds, or game fishes may lawfully be taken. Each period of time prescribed as an open season shall be construed to include the first and last days thereof.

"Closed season: The time during which animals, birds, or game fishes may not be taken.

"Transport: Shipping, transporting, carrying, importing, exporting, or receiving or delivering for shipment, transportation, carriage, or export, unless the context otherwise requires.

"Game animals: Deer, moose, caribou, elk, mountain sheep, mountain goat, bison, muskox, and the large brown, grizzly, and black bears, which shall be known also as big game, and such other animals as the Secretary has or shall declare, as hereinafter provided, to be game animals, to be known also as big game if so designated in the declaration, including those that have been or may hereafter be transplanted, introduced, or reintroduced into the Territory, or any part thereof.

"Fur animals: Beaver, muskrat, marmot, racoon, pika, hare or rabbit, squirrel, fisher, fox, lynx, marten or sable, mink, weasel or ermine, sea otter, land otter, wolverine, coyote, wolf, and polar bear, and such other animals as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory, or any part thereof, and found and declared by the Secretary to be fur animals: *Provided*, That whenever the Secretary shall find that in any section of Alaska any animal is predominantly taken as a game rather than as a fur animal, or is predominantly taken as a fur animal rather than as a game animal, he shall so declare and then and thereafter, so long as such declaration remains in effect, such animal in the specified section of Alaska shall be considered to be a game animal or fur animal as the case may be, to the same extent as if it had been expressly included in the foregoing definitions of game and fur animals.

Fur animal or game animal Declaration

"Game birds: Anatidae, commonly known as waterfowl, including ducks, geese, brant, and swans; Haematopodidae, Charadriidae, Scolopacidae, and Phalaropodidae, commonly known as shorebirds, including oyster-catchers, plover, sandpipers, snipe, curlew, and phalaropes; Gruidae, commonly known as crane; and the several species of grouse and ptarmigan, and such other birds as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory, or any part thereof, and found and declared by the Secretary to be game birds.

"Nongame birds: All wild birds except game birds.

"Hunting: The taking, as herein defined, of game animals, game birds, and nongame birds. ⊥303

"Trapping: The taking, as herein defined, of fur animals.

"Game fishes: Rainbow, steelhead, cutthroat, eastern brook, and Dolly Varden trout, and grayling, and such other fishes as the Secretary may declare, from time to time, to be game fishes.

"SEC. 3. RESIDENCE AND CITIZENSHIP.—That for the purposes of this Act a citizen or a national of the United States who has resided in the Territory for a continuous period of twelve months immediately preceding his claim for resident hunting, trapping, fishing, or other privileges under this Act, or a person not a citizen or a national of the United States who has in good faith declared his intention to become a citizen of the United States, whose declaration of intention is in good standing, and who has resided in the Territory for a like period, shall be considered a resident: *Provided, however*, That whenever the Secretary shall determine the fur resources of Alaska are threatened by hunting or trapping, or from other causes, he may, in his discretion and for such periods as he shall determine, extend the required residence period in the Territory from twelve months to three years as a prerequisite to obtaining a resident trapping license; a citizen or a national of the United States who has not resided in the Territory for a continuous period of twelve months, or for the extended period of three years, as the case may be, immediately preceding his claim for resident privileges shall be considered a nonresident; and a person not a citizen or a national of the United States who is not a resident of the Territory, as defined in this section, shall be considered an alien.

Required residence period

Extension.

Nonresident.

Alien.

"SEC. 4. ALASKA GAME COMMISSION CREATED.—That a Commission to be known as the Alaska Game Commission is hereby created.

Executive officer

The Commission shall consist of an executive officer and four other members. The executive officer of the Commission shall be the representative of the Fish and Wildlife Service of the Department of the Interior, designated by the Director to occupy that position, and he shall provide for the due administration of the functions of the Commission under this Act. The other four members of the Commission shall be appointed by the Secretary to serve for four years unless sooner removed: *Provided*, That the present members of the Alaska Game Commission appointed pursuant to section 4 of the Act of January 13, 1925 (43 Stat. 739), are hereby made the appointed members of the Alaska Game Commission as reorganized and continued hereunder, each to serve a term of office equal to the unexpired term of his office as a member of the Alaska Game Commission under the provisions of the Act of January 13, 1925. Each member of the Commission appointed by the Secretary shall be a resident citizen of the judicial division from which he is appointed and shall have been a resident of Alaska for at least five years before his appointment, but not more than one resident of a judicial division shall serve on the Commission at one time, and no Federal or Territorial employee shall be appointed as a member of the Commission. The Secretary may remove a commissioner for inefficiency, neglect of duty, or misconduct in office, giving him a copy of the charges against him and opportunity to be publicly heard in person or by counsel in his own defense; pending the investigation of the charges, the Secretary may suspend such commissioner. The Secretary shall fill vacancies on the Commission by appointment for the unexpired term, and a vacancy shall be filled by appointment from the same judicial division in which it occurs. The office of any commissioner shall be vacant upon his removing his residence from the judicial division from which he was appointed.

Status of present members.
43 Stat. 740
48 U. S. C. §§ 208–211.

Qualifications.

Removals.

Vacancies.

1304
Compensation

⊥"Members of the Commission, other than the executive officer, shall receive no compensation for their services as members thereof, except a per diem of $10 for each member for each day going to and from and in actual attendance at meetings of the Commission, but the total salary or per diem compensation of the member from the second judicial division shall not exceed the sum of $1,500, and that of any of the other members, except the executive officer, the sum of $900 in any one fiscal year, and each such member in addition shall have reimbursed to him actual and necessary traveling and subsistence expenses incurred or made in the discharge of his official duties, in accordance with the fiscal regulations of the Department of the Interior, which shall be paid on proper vouchers from the appropriation for the enforcement of the Alaska game law. The executive officer shall be paid his salary and shall have reimbursed to him all actual and necessary traveling and other expenses and disbursements in accordance with the fiscal regulations of the Department of the Interior from the appropriation for the enforcement of the Alaska game law and from such other appropriations for the work of the Fish and Wildlife Service in the Territory as the Director may designate.

Reimbursement of expenses.

Pay, etc., of executive officer.

Principal office.

"The Commission shall maintain and have its principal office in the capital of the Territory.

Quorum; investigations, orders.

"A majority of the members shall constitute a quorum for the transaction of business. All investigations, inquiries, hearings, and decisions of a commissioner shall be deemed to be the investigations, inquiries, hearings, and decisions of the Commission, when approved by it and entered by it in its minutes, and every order made by a commissioner, when approved and confirmed by the Commission and ordered filed in its office, shall be, and be deemed to be the order of the Commission. The Commission shall have an official seal.

Seal.

Power to arrest

"SEC. 5. DUTIES AND POWERS OF THE COMMISSION, WILDLIFE AGENTS, AND OTHER PERSONS.—That each member of the Commis-

sion, any employee of the Department of the Interior authorized by the Secretary to enforce this Act, any marshal, deputy marshal, collector or deputy collector of customs, shall have power, in or out of the Territory, and it shall be his duty to arrest without warrant any person committing a violation of this Act in his presence or view, and to take such person immediately for examination or trial before an officer or court of competent jurisdiction; he shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction for the enforcement of the provisions of this Act; and he shall have authority, with a search warrant, to search any place at any time. Any officer or other person empowered to enforce this Act shall have authority without warrant to search any camp, camp outfit, fish creel, pack or pack animals, automobile, aircraft, wagon, or other vehicle, sled, or any boat, vessel, or other craft in the territorial waters of the United States, or any boat, vessel, or other craft of the United States on the high seas when such officer or employee has reasonable cause to believe that such camp, camp outfit, fish creel, pack or pack animals, automobile, aircraft, wagon, or other vehicle, sled, boat, vessel, or other craft has therein or thereon any of the animals, birds, or fishes, or parts thereof, or nests or eggs of birds, protected by this Act taken, possessed, sold, intended for sale, or transported contrary to law. The several judges of the courts established under the laws of the United States and United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue warrants in all such cases. All guns, traps, nets, fishing tackle, boats, aircraft, wagons or other vehicles, dogs, sleds, and other paraphernalia used ⊥in or in aid of a violation of this Act may be seized, and all animals, birds, game fishes, or parts thereof, or nests or eggs of birds, taken, transported, or possessed contrary to the provisions of this Act shall be seized within or outside the Territory by any officer or person authorized to enforce this Act, and upon conviction of the offender or upon judgment of a court of the United States that the same were being used or were taken, transported, or possessed in violation of this Act, shall be forfeited to the United States and disposed of as directed by the court having jurisdiction, and if sold the proceeds of sale shall be transmitted by the clerk of the court to the executive officer to be disposed of as provided in subdivision K of section 10 of this Act. It shall be the duty of the Secretary of the Treasury and the Postmaster General, upon request of the Secretary of the Interior, to aid in carrying out the provisions of this Act.

Execution of warrants

Authority to search

Issuance of warrants

Seizure of paraphernalia, etc.

⊥305

Forfeiture and disposal

Proceeds of sale

Post, p. 309.

Assistance of Treasury and Post Office officials

"SEC. 6. BOND OF EMPLOYEES.—That before entering upon the duties of his office, the executive officer shall execute and file with the Secretary a bond to the people of the United States in the sum of $1,000, with sufficient sureties, and each wildlife agent or other person authorized by the executive officer to sell licenses shall so file such a bond in the sum of $500, conditioned for the faithful performance of their respective duties, and for the proper accounting and paying over, pursuant to law, of all moneys or property received by them, respectively. Each person so bonded shall have reimbursed to him on proper voucher the premium paid by him on his bond.

Reimbursement of premium

"SEC. 7. TAKING OF ANIMALS, BIRDS, AND GAME FISHES RESTRICTED.—That, unless and except as permitted by this Act or by regulations made pursuant to this Act, it shall be unlawful for any person to take, possess, transport, sell, offer to sell, purchase, or offer to purchase any game animal, fur animal, game fish, game bird, nongame bird, or any part thereof, or any nest or egg of any such bird, or to molest, damage, or destroy beaver or muskrat houses: *Provided*, That nothing in this Act shall be construed to prevent the collection or exportation of such animals, game fishes, birds, parts thereof, or nests or eggs of birds, for scientific or educational purposes, or of live

Unlawful acts

Collection or exportation for scientific, etc., purposes.

animals, game fishes, birds, or eggs of birds, for propagation or exhibition purposes, under a permit issued by the Director, pursuant to regulations hereinafter authorized to be adopted by the Secretary.

Escaped animals, etc., declared wild

Fur or game animals and game birds which escape from captivity, unless recaptured by their owners in accordance with regulations prescribed by the Secretary, and all fur and game animals and game birds which have been or may hereafter be transplanted, introduced, or reintroduced into the Territory, or any part thereof, are declared to be wild fur or game animals or game birds, as the case may be, and shall be subject to the provisions of this Act.

"SEC. 8. POISON, USE PROHIBITED.—That no person shall at any time use any poison to kill any animal or bird protected by this Act or put out poison or a poisoned bait where any such animal or bird may come in contact with it; but a wildlife agent or predatory animal hunter may use poison to kill wolves, coyotes, or wolverines, under such regulations as the Commission may adopt; and no person shall sell or give any strychnine or other poison designated by the Commission to any hunter or trapper. No hunter or trapper shall have any strychnine or other poison designated by the Commission in his possession, any such poison found in the possession of any such person shall be seized and disposed of in such manner as the Commission may determine. Any person selling or otherwise disposing of any strychnine or any other poison designated by the Commission shall keep a record in a special book showing the name and address of each person purchasing or otherwise procuring it and the kind ⊥and amount thereof, which record shall at all times be open to inspection by any wildlife agent or other officer authorized to enforce this Act, and he shall transmit such information monthly to the Commission.

Exception.

Seizure, disposal

Record of sales

⊥306

"SEC. 9. REGULATIONS.—That the Secretary, upon consultation with or recommendation from the Commission, is hereby authorized and directed from time to time to determine when, to what extent, if at all, and by what means game animals, fur animals, game birds, nongame birds, and nests or eggs of birds, and game fishes may be taken, possessed, transported, bought, or sold, and to adopt suitable regulations permitting and governing the same in accordance with such determinations, which regulations shall become effective on the date specified therein; but no such regulations shall permit any person to take any female yearling or calf moose, any fawn deer, or any female or lamb mountain sheep except under permit for scientific, propagation, exhibition, or educational purposes; or to use any dog in taking game animals; or to sell the heads, hides, or horns of any game animals, except the hides of moose, caribou, deer, and mountain goat, or skins of black bear, which the regulations may permit to be sold under such restrictions as said Secretary may deem to be appropriate; or to use any shotgun larger than a number 10 gage; or to use any aircraft, or steam or power launch, or any boat other than one propelled by paddle, oars, or pole, in taking game animals or game birds; or to sell any game animals, game birds, or parts thereof to the owner, master, or employee of any coastal or river steamer or commercial power or sailboat, or to procure for serving or to serve any such game animals, game birds, or parts thereof in any cannery or to the employees on any such steamer or boat; nor, except as herein provided, shall prohibit any Indian or Eskimo, prospector, or traveler to take animals, birds, or game fishes during the closed season when he is in need of food and other sufficient food is not available, but the shipment or sale of any animals, birds, or game fishes, or parts thereof so taken shall not be permitted, except that the hides of animals so taken may be sold within the Territory, but said Secretary by regulation may prohibit such native Indians or Eskimos, prospectors, or travelers from taking any species of animals, birds, or game fishes for food during the closed season in any section of the Territory within

Regulations for taking game, etc

Firearms, aircraft, and boats

Sales.

Use for food during closed season

which he shall determine that the supply of such species of animals, birds, or game fishes is in danger of extermination; nor shall any such regulation contravene any of the provisions of the Migratory Bird Treaty Act and regulations: *Provided*, That no person shall knowingly disturb, injure, or destroy any notice, signboard, seal, tag, aircraft, boat, vessel, automobile, sled, dog, dog team, paraphernalia, equipment, building or other improvement or property of the United States used in the administration or enforcement of the provisions of this Act, or any poster or notice to the public concerning the provisions of this Act or any regulation adopted pursuant hereto, or any marker indicating the boundary of any area closed to hunting, trapping, fishing, or other special use under the provisions of this Act, or shall knowingly destroy, remove, tamper with, or imitate any seal or tag issued or used by the Commission or attached under its authority to any skin, portion, or specimen of a wild animal, bird, game fish, or other article for purposes of identification or authentication in accordance with the provisions of this Act or any regulations adopted hereunder.

40 Stat. 755.
16 U. S. C. §§ 703-711, Supp. II, § 704 note.
Post, pp. 743, 753 re destruction of U.S. property, etc.

"SEC. 10. LICENSES: SUBDIVISION A. NONRESIDENT HUNTING, TRAPPING, AND FISHING LICENSES.—That except as otherwise permitted by this Act, or by any regulation or order made pursuant hereto, no nonresident as defined by section 3 of this Act shall take or possess ⊥any of the animals, birds, or game fishes protected by this Act, or by any regulation or order authorized hereunder, without first having procured a nonresident hunting, trapping, or fishing license as herein provided.

Licenses and permits.

Ante, p. 303.
1307

"SUBDIVISION B. RESIDENT EXPORT LICENSES AND PERMITS.—No resident of the Territory shall transport therefrom any game animal, bird, or part thereof, unless he has (a) a resident export and return license, which will entitle him to transport out of the Territory for mounting and return to him in the Territory within one year such game animal, bird, or part thereof, as shall have been legally acquired by him and which shall be specifically identified in the license, or (b) a resident export permit, which may be issued in such circumstances and upon such conditions as the Commission may prescribe, and which will entitle him to export from the Territory for other than return, but not for sale, such game animal, bird, or part thereof, as shall have been legally acquired by him and which shall be specifically identified in the permit.

"SUBDIVISION C. RESIDENT HUNTING, TRAPPING, AND FISHING LICENSES.—The Commission, whenever it shall deem expedient, may by regulation require residents of the Territory to procure resident hunting, trapping, and fishing licenses authorizing them to take animals, birds, and game fishes protected by this Act, and after the effective date of such regulation, no resident shall take any animal, bird, or game fish protected by this Act without having first procured resident hunting, trapping, and fishing licenses as herein provided. The fee for such licenses shall be as follows: For each fishing license the sum of $1; for each hunting license, which shall include the privilege of fishing, the sum of $2; and for each trapping license, which shall include the privilege of hunting and fishing, the sum of $3; but no such license shall be required of native Indians and Eskimos, or of residents under the age of sixteen.

Fees.

"SUBDIVISION D. REGISTERED GUIDE LICENSE.—Only a person who is a resident of the Territory, as defined in section 3 of this Act, may act as guide for a nonresident in any section of the Territory where the Commission by regulation, and the Commission is hereby authorized to issue such regulations, requires nonresidents to employ guides prior to engaging in authorized big-game hunting privileges, and he shall first register with the Commission on a form which it shall provide for this purpose and procure a registered guide license as

Qualifications of guides.

herein provided, and the Commission shall determine by regulation the qualifications required of such guides. No person other than a registered guide shall act as guide for a nonresident in any section of the Territory where guides are required by regulation of the Commission to be registered.

"SUBDIVISION E. ALIEN SPECIAL LICENSES.—No alien shall take any of the animals, birds, or game fishes protected by this Act, or own or be possessed of a shotgun, rifle, or other firearm, without first having procured an alien special license, except that an alien may take game fishes protected by this Act upon first having procured an alien fishing license as herein provided.

"SUBDIVISION F. RECORDS, REPORTS.—Each person to whom a license is issued to take animals or birds, or to deal in furs, shall keep records which shall show the kind and number of each species of animals or birds so taken, purchased, or otherwise procured under such license, the persons from whom they were purchased and to whom they were sold, date of purchase or sale, name of the trapper, and the number of the trapper's license, and shall, on or before thirty days after the expiration of his license, make a written report to the Commission on a form prepared and furnished by it setting forth in full ⊥the data herein required to be recorded. Such records shall at all ⊥308
Inspection.
reasonable times be subject to inspection and examination by any
Punishment.
officer or other person empowered to enforce this Act. Any licensee who shall fail correctly to keep such records or who shall fail to submit such report or who shall in any such report knowingly falsely state any such data or who shall refuse to exhibit his records for inspection and examination as herein required shall be punished as prescribed in
Post, p. 311.
section 15 of this Act.

"SUBDIVISION G. FUR-FARM LICENSE.—No person shall engage in the business of farming fur animals or possess them for purposes of propagation without first having procured a fur-farm license as herein provided.

"SUBDIVISION H. FUR DEALERS, LICENSES, FEES.—No person shall buy or sell the skins of fur animals, or engage in, carry on, or be concerned in the business of buying, selling, or trading in the skins of fur animals protected by this Act without first having procured a
Exceptions.
license as herein provided, but no license shall be required of a hunter or trapper selling the skins of such animals which he has lawfully taken, or of a person not engaged or employed in the business of trading in such skins to purchase them for his own use but not for sale, or of native Indians or Eskimos, or of cooperative stores operated exclusively by and for native Indians or Eskimos, or of stores operated
Exempted stores.
by missions, exclusively for native Indians or Eskimos: *Provided*, That the stores exempted from procuring licenses as herein provided shall, or on before thirty days after the expiration of each license year as specified in this Act, make a written statement to the Commission, on a form prepared and furnished by it, setting forth such material facts concerning the management and operation of such store as the Commission may by such form require and in addition thereto shall keep the records, make the reports, incur the penalties, and in all other respects be subject to the requirements of subdivision F of section 10 to the same extent as licensed fur dealers.

Application fees.
"The applicant for such a license shall accompany his application by the required fee as follows:

Residents.
"(a) If the applicant is a resident of the Territory, $10, or is an association or copartnership composed exclusively of residents of the Territory, organized under the laws of the Territory, for each member, $10.

Nonresident citizens, etc.
"(b) If the applicant is a nonresident of the Territory but is a citizen or national of the United States, or is a corporation composed exclusively of citizens or nationals of the United States, organized under

the laws of the Territory or of a State of the United States, or is an association or copartnership composed exclusively of citizens or nationals of the United States, organized under the laws of the Territory or of a State of the United States, any member of which is a nonresident of the Territory, $100.

Aliens.

"(c) If the applicant is an alien, or is a corporation, association, or copartnership, not organized under the laws of the Territory or of a State of the United States, or is a corporation, association, or copartnership, any stockholder or member of which is an alien, $500.

Resident agents.

"(d) If the applicant is a resident of the Territory and an agent in charge of a station of a fur dealer of either of the classes (a), (b), or (c), or a resident itinerant agent of such dealer, $10.

Nonresident agents.

"(e) If the applicant is a nonresident of the Territory but a citizen or national of the United States and an agent in charge of a station of a fur dealer of either of the classes (a), (b), or (c), or a nonresident citizen or national itinerant agent of such dealer, $100.

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Alien agents.

⊥"(f) If the applicant is an alien and an agent in charge of a station of a fur dealer of either of the classes (a), (b), or (c), or an alien itinerant agent of such dealer, $500: *Provided*, That no license shall be issued to any agent whose principal has not procured a license in accordance with (a), (b), or (c).

Persons authorized to issue licenses, etc.

"SUBDIVISION I. FEES AND APPLICATION FOR, AND ISSUANCE OF, LICENSES AND PERMITS.—Licenses and resident export permits shall be issued by the executive officer through wildlife agents and other persons authorized by him in writing to sell licenses. Resident export licenses and permits may also be issued by customs officers. Application blanks for licenses and permits shall be furnished by the Commission and shall be in such form as the Commission may by regulation determine. Each application shall be subscribed and sworn to by applicant before an officer authorized to administer oaths in the Territory. Members of the Commission, wildlife agents, and other persons authorized in writing by the executive officer to issue licenses, and postmasters and customs officers, are hereby authorized to administer such oaths. The applicant for a license or resident export permit shall accompany his application with a license or permit fee as follows: Nonresident general hunting, trapping, and fishing license, $50; nonresident hunting and fishing license, but not including the privilege of hunting big game, $10; nonresident fishing license, $2.50; resident export and return license, $1 for each animal or bird trophy; resident export permit, if shipper is removing residence, $1 for each animal, $1 for each bird, or if shipper is not removing residence, $5 for each animal, $1 for each bird; registered guide license, $10; alien special hunting, trapping, and fishing license, $100; alien fishing license, $2.50; and fur-farm license, $2. Whenever the Secretary determines that the circumstances justify the charging of lesser fees for any class of licenses or permits than the fees specified in this section, he may by regulation prescribe reduced schedules of fees to be paid for the issuance of licenses or permits of that class, and during the period any such regulation is in effect no greater fees shall be charged for any license or permit of the class involved than the fee so prescribed by the Secretary.

Applications.

Fees.

Reduced schedules.

"SUBDIVISION J. FALSE STATEMENTS IN APPLICATION FOR AND ALTERATION AND EXPIRATION OF LICENSES AND PERMITS.—Any false statement in an application for a license or permit as to citizenship, place of residence, or other material facts shall render null and void the licenses or permits issued upon it. Any person who shall make any false statements in an application for a license or permit shall be guilty of a violation of this Act and upon conviction of any such violation shall be punished as provided in section 15 hereof. No person shall alter, change, loan, or transfer to another any license or permit issued to him in pursuance of this Act, nor shall any person

Punishment.

Post, p. 311.

other than the one to whom it is issued use such license or permit, and each of such licenses shall expire on the 30th day of June next succeeding its issuance.

Portion of proceeds as compensation for services

"SUBDIVISION K. PROCEEDS OF LICENSES AND PERMITS.—The Commission is hereby authorized to prescribe regulations permitting each officer or person selling licenses or permits, other than officers or employees of the United States, to retain for his own use and benefit such portion of the proceeds of each sale made by him, not exceeding 10 per centum thereof, as the Commission may from time to time allot for the purpose of compensating such officer or person for his services in connection with the issuance of licenses or permits, but the sums so retained shall be reported to the executive officer in accordance with the regulations of the Commission. Subject to the ⊥withholding of any compensation so authorized, each officer or person selling licenses or permits shall, as soon as practicable after the first day of each month, transmit the proceeds from such sales, together with a report thereof, to the executive officer who shall keep accurate records of such proceeds and promptly deposit 50 per centum thereof in the Treasury of the United States to the credit of miscellaneous receipts, and transmit 50 per centum thereof to the treasurer of the Territory to be covered into the Territorial school fund. Receipts from all other sources shall be accounted for and disposed of in like manner.

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Transmittal of proceeds, deposit

"SUBDIVISION L. TAGS AND SEALS.—The Commission is hereby authorized and directed to adopt tags or seals of an approved type or design to be used for marking seized articles, and beaver and marten skins, or the skins of other fur or game animals when required by the regulations of the Secretary to be tagged or sealed, for purposes of identification and authentication.

Taking of specified game, etc., in specified areas

"SUBDIVISION M. SPECIAL REGULATIONS, PERMITS, AND LICENSES.—In addition to the hunting, trapping, and fishing licenses or permits required by any other provision of this Act, or by regulations authorized to be issued thereunder, the Commission may from time to time prescribe regulations requiring residents, nonresidents, and aliens to obtain special licenses, upon the payment of fees fixed by such regulations, prior to the taking of specified game or fur animals in specified areas, and may by such regulations limit further the number, kind, and sex of such animals that may be taken in such areas, and also may restrict the number of persons who may hunt or trap in each such area. Whenever such additional restrictions are imposed by regulation, the executive officer shall issue to qualified applicants, upon receipt of the proper application and fee, the special licenses required by such regulations, in the number designated by the regulations and in the order of the receipt of applications.

Accurate accounts of consignments

"SEC. 11. COLLECTORS OF CUSTOMS, DUTIES OF.—That it shall be the duty of collectors of customs at ports of entry in the United States to keep accurate accounts of all consignments of game birds, game animals, skins of fur animals, game fishes, or parts thereof, and nests or eggs of game birds, received from or returned to the Territory, except when shipped for scientific, propagation, exhibition, or educational purposes under a permit issued by the Director pursuant to regulations of the Secretary; and it shall be the duty of all collectors of customs to enforce the provisions of regulations adopted pursuant to this Act with respect to shipments of game birds, game animals, skins of fur animals, game fishes, or parts thereof, and nests or eggs of game birds.

Enforcement of shipment regulations

"SEC. 12. BURDEN OF PROOF.—That the possession of any wild animal, game fish, wild bird, or parts thereof, or any nest or egg of such bird, during the time when the taking of it is prohibited, shall, in any action in rem, constitute prima facie evidence that it was taken, possessed, bought, sold, or transported in violation of the provisions of this Act, and the burden of proof shall be upon the possessor or

claimant of it to overcome the presumption of illegal possession and to establish the fact that it was obtained and is possessed lawfully.

"SEC. 13. UNITED STATES ATTORNEYS, DUTIES OF.—That it shall be the duty of the United States attorney for the division in which any wild animal, game fish, wild bird, or part thereof, or any nest or egg of such bird, has been seized because taken, transported, bought, sold, or possessed contrary to the provisions of this Act, or in which any gun, trap, net, fishing tackle, boat, dog, sled, aircraft, wagon, or other vehicle, or other paraphernalia has been seized because used in the unlawful taking of any wild animal, game fish, wild bird, or part ⊥thereof, or any nest or egg of such bird, or in which any sled, boat, aircraft, wagon, or other vehicle has been seized because used in the transportation of any wild animal, game fish, wild bird, or part thereof, or any nest or egg of such bird, illegally bought, sold, or possessed contrary to the provisions of this Act, to institute an action in rem against it for the forfeiture thereof to the United States in any case in which the disposition of such article is not involved in a criminal prosecution. In case of judgment being rendered in favor of the United States, the wild birds, game fishes, wild animals, or other articles forfeited shall be disposed of as directed by the court having jurdisdiction, and if sold, the proceeds of sale shall be transmitted by the clerk of the court to the executive officer to be disposed of as provided in subdivision K of section 10 of this Act: *Provided*, That no action in rem shall be required with respect to any wild animal, game fish, wild bird, or part thereof, or any nest or egg of such bird, or any gun, net, fishing tackle, trap, or other device possessed or used in or in aid of a violation of this Act and legally seized when the claimant thereof releases such article or articles to the United States by a voluntary release in writing witnessed by two disinterested parties, in which case such articles shall be disposed of by the executive officer and if sold the proceeds shall be disposed of as provided in this section.

Institution of action for forfeiture.

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Disposal of forfeited articles after judgment.

Vol., p. 309.

Voluntary release.

"SEC. 14. CONTINUANCE OF FUNDS.—That the unexpended balances of any sums appropriated by the Interior Department Appropriation Act for the fiscal year ending June 30, 1943, for enforcing the provisions of the Act of January 13, 1925, as amended, for the protection of game animals, fur animals, and birds in the Territory, are hereby made available for the purpose of carrying into effect the provisions of this Act and regulations made pursuant hereto, and all contractual obligations heretofore incurred under the provisions of the Act of January 13, 1925, as amended, shall remain in full force and effect.

56 Stat. 556.

43 Stat. 739.
48 U. S. C. §§ 192-211.

"SEC. 15. PENALTIES.—That unless a different or other penalty or punishment is hereby specifically prescribed, a person who violates any provision of this Act or of any order or regulation adopted pursuant to this Act, or who fails to perform any duty imposed by this Act or by any order or regulation adopted pursuant to this Act, is guilty of a misdemeanor and upon conviction thereof shall be fined not less than $25 nor more than $500, or be imprisoned not more than six months, or both; and, in addition thereto, any person convicted of a violation of any provision of this Act who is the holder of any form of license issued hereunder shall thereupon forfeit said license and shall surrender it upon demand of any person authorized by the Commission to receive it, and upon a second conviction he shall not be entitled to, nor shall he be granted a license of such form for a period of one year from date of such forfeiture, and upon a third or successive conviction, for a period of five years from the date of such forfeiture; and any cooperative store operated exclusively by and for native Indians or Eskimos, or any store operated by missions exclusively for native Indians or Eskimos, without a license as provided in this Act, upon a second or third conviction for violation of this Act, shall not be entitled to engage in the business of dealing in furs for such time as

Forfeiture of license.

Second, third, or successive convictions.

Limitations.

Disposition of fines.

the court before whom such conviction is had may decide: *Provided*, That such prohibition shall not be imposed for the first conviction, nor for a period in excess of one year from date of the second conviction, nor for a period in excess of five years from date of the third or any subsequent conviction; and all moneys from fines shall be transmitted by the clerk of the court to the executive officer to be disposed of as provided in subdivision K of section 10 of this Act.

Ante, p. 309.

Failure of licensed guide to report violation.

"Any licensed guide who shall fail or refuse to report promptly to the Commission any violation of this Act of which he may have knowledge, shall be guilty of a violation of this Act, and, in addition thereto, shall have his license revoked and shall be ineligible to act as a licensed guide for a period of five years from the time of his conviction therefor, or, of the establishment to the satisfaction of the Commission of definite proof of such offense.

"SEC. 16. ADMINISTRATION OF OATHS FOR PURPOSES OF PROSECUTION.—That such officers, agents, or employees of the Department of the Interior as may be designated in writing by the Secretary or executive officer for the purpose are hereby authorized and empowered to administer to or take from any person, an oath, affirmation, or affidavit whenever such oath, affirmation, or affidavit is for use in any prosecution or proceeding under or in the enforcement of this Act.

Post, p. 489.

"SEC. 17. AUTHORIZATION OF APPROPRIATIONS.—That there is authorized to be appropriated, from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and to accomplish the purposes of this Act and regulations made pursuant hereto, and the Secretary of the Interior is authorized out of such moneys to employ in Alaska and elsewhere such persons and means as he may deem necessary for such purposes, including printing; purchase, operation, maintenance, and repair of aircraft; construction of aircraft hangars and other structures; restocking depleted areas; emergency feeding of wildlife; investigation of wildlife and game-fish resources and conditions; and protection and rehabilitation of Territorial wildlife and game-fish resources.

"SEC. 18. SEPARABILITY OF PROVISIONS.—That if any clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or parts thereof directly involved in the controversy in which such judgment shall have been rendered.

"SEC. 19. APPLICATION TO MOUNT MCKINLEY NATIONAL PARK.—That nothing in this Act contained shall be construed as repealing or modifying in any manner section 6 of the Act of Congress approved February 26, 1917 (39 Stat. 938), entitled 'An Act to establish the Mount McKinley National Park in the Territory of Alaska.'

16 U. S. C. § 352.

Effective date, short title.

"SEC. 20. DATE EFFECTIVE.—That this Act shall become effective immediately upon its passage and approval, and shall be known by the short title of the 'Alaska Game Law.' "

Approved July 1, 1943.

[CHAPTER 218]

AN ACT

July 12, 1943
[H. R. 2714]

[Public Law 132]
57 Stat. 431

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1943, and for prior fiscal years, and for other purposes.

Urgent Deficiency Appropriation Act, 1943.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the

fiscal year ending June 30, 1943, and for prior fiscal years, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥437

* * *

BUREAU OF INDIAN AFFAIRS

Maintenance, Wapato irrigation and drainage system, and so forth, Yakima Reservation, Washington (receipt limitation): For operation and maintenance of the Wapato irrigation and drainage system and auxiliary units thereof, Yakima Indian Reservation, Washington, fiscal year 1943, $20,000, to be added to the $165,980 appropriated for this purpose in the Interior Department Appropriation Act, 1943 (56 Stat. 520).

* * *

⊥TITLE II—WAR OVERTIME PAY AND OTHER COMPENSATION INCREASES ⊥440

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥444

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Salaries, Bureau of Indian Affairs, 1943, $2,500;

Maintaining law and order on Indian reservations, 1943, $7,000;

Expenses of organizing Indian corporations, and so forth, 1943, $4,300;

* * *

⊥Improvement and maintenance, irrigation system, Colorado River ⊥445
Reservation, Arizona (reimbursable), 1943, $1,000;

Improvement and maintenance, irrigation system, Colorado River Reservation, Arizona (receipt limitations), 1943 (from operation and maintenance collections), $1,000;

Maintenance, irrigation systems, Fort Peck Reservation, Montana (reimbursable), 1943, $1,000;

Improvement and maintenance, irrigation systems, Blackfeet Reservation, Montana (reimbursable), 1943, $250;

Improvement and maintenance, irrigation systems, Crow Reservation, Montana (reimbursable), 1943, $500;

Improvement and maintenance, irrigation systems, Crow Reservation, Montana (receipt limitation), 1943 (from operation and maintenance collections), $2,500;

Improvement and maintenance, irrigation systems, Klamath Reservation, Oregon (reimbursable), 1943, $350;

Maintenance, irrigation systems, Wind River Reservation and ceded lands, Wyoming (reimbursable), 1943, $2,000;

Indian boarding schools, 1943, $85,000;

Administration of Indian property, 1943, $50,000;

Miscellaneous Indian tribal funds, 1943:

Arizona: Pima (Camp McDowell), $100, and Truxton Cañon, $690; in all, $790;

California: Mission, $990;

Oregon: Klamath, $9,900;

Utah: Uintah and Ouray, $220;

Washington: Colville, $600, and Taholah, $140; in all, $740;

Support of Osage Agency and pay of tribal officers, Oklahoma, $7,400;

* * *

Approved, July 12, 1943.

[CHAPTER 219]

July 12, 1943
[H. R. 2719]
[Public Law 133]
57 Stat. 451

AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1944, and for other purposes.

Interior Department Appropriation Act, 1944.
Post, p. 621.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1944, namely:

OFFICE OF THE SECRETARY

* * *

1453

⊥CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

* * *

Purchase of books, etc.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, $500, and in addition there is hereby made available from any appropriations made for any of the following bureaus or offices of the Department not to exceed the following respective sums: Grazing Service, $250; Indian Service, $500; Bureau of Reclamation, $8,000; Geological Survey, $6,000; National Park Service, $3,000; General Land Office, $1,000; Bureau of Mines, $4,500

Additional sums from specified appropriations.

* * *

1456

⊥BUREAU OF INDIAN AFFAIRS

SALARIES AND GENERAL EXPENSES

For departmental personal services, including such services in the District of Columbia, $697,800.

For travel expenses of departmental employees of the Bureau of Indian Affairs; radio, telegraph, and telephone toll messages on busi-⊥ness pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, District of Columbia, and Chicago, Illinois; rental of office equipment and the purchase of necessary supplies therefor, and other necessary expenses of the Indian Service for which no other appropriation is available, $50,000.

1457

Purchase of goods and supplies.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $790,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Maintenance of law and order.

For maintaining law and order on Indian reservations, including pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, and including traveling expenses, supplies, and equipment, $267,000.

Lease, etc., of agency buildings.

For lease, purchase, construction (not to exceed $1,500 for any one building), repair, and improvement of agency buildings, exclusive of hospital buildings, including the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $175,000.

Vehicles, Indian Service: Not to exceed $450,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of

employees in the Indian field service, and the transporation of Indian school pupils, and not to exceed $175,000 of applicable appropriations may be used for the purchase of motor-propelled passenger-carrying vehicles, and such vehicles may be used for the transportation of Indian school pupils.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

INDIAN LANDS

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, $12,000, payable from funds on deposit to the credit of the Navajo Tribe.

The unexpended balance of the appropriation of $25,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for the payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, as authorized by the Act of June 20, 1936 (49 Stat. 1542), is hereby continued available for the same purpose until June 30, 1944.

Restricted Indian lands, taxes, etc.
50 Stat. 573.

25 U. S. C. § 412a.

For payments to Indians, and to States, counties, or political subdivisions thereof, in accordance with the provisions of the Act of ⊥June 11, 1940, entitled "An Act for the relief of Indians who have paid taxes on allotted lands for which patents in fee were issued without application by or consent of the allottees and subsequently canceled, and for the reimbursement of public subdivisions by whom judgments for such claims have been paid" (54 Stat. 298), as amended by the Act of February 10, 1942 (56 Stat. 87–88), $45,000.

Reimbursement for taxes paid on allotted lands.
⊥458

25 U. S. C. § 352c, Supp. II, § 352c.

For the purchase of land and improvements thereon for the Indians of the Blackfeet Reservation, Montana, $25,000, payable from funds on deposit to the credit of said Indians: *Provided*, That title to any land and improvements so purchased shall be taken in the name of the United States in trust for the Indians of the Blackfeet Reservation.

Indians of Blackfeet Reservation, Mont.

Purchase of land, Flathead Indians, Montana (tribal funds): For the purchase of land and improvements thereon for the Indians of the Flathead Reservation, Montana, $25,000, payable from funds on deposit to the credit of said Indians: *Provided*, That title to any land and improvements so purchased shall be taken in the name of the United States in trust for the Indians of the Flathead Reservation: *Provided further*, That no funds shall be expended under this authorization without the consent of the tribal council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation.

Flathead Indians, Mont.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest

Timber preservation, etc.

and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, $412,500: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Availability of funds

Timber sales, etc., expenses.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands only from which such timber is sold, 40,000, reimbursable to the United States as provided in the Act of February 14, 1920 (25 U. S. C. 413), from the proceeds of timber sales: *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

41 Stat. 415.

Rewards.

Suppression, etc., of forest fires.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $12,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations shall be available upon the approval of the Secretary for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Additional amount available.

Report to Congress.

Geological Survey. Transfer of funds.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (25 U. S. C. 336, 371, 397), May 27, 1908 (35 Stat. 312), March 3, 1909 (25 U. S. C. 396), and other Acts authorizing the ⊥leasing of such lands for mining purposes, including purchase (not to exceed $2,000), maintenance, repair, and operation of passenger-carrying vehicles, and not to exceed $8,000 for personal services in the District of Columbia, $85,000.

26 Stat. 794; 35 Stat. 783; 459

Development of agriculture and stock raising

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $600,000, of which not to exceed $10,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $30,000 may be used for the operation and maintenance of a sheepbreeding station on the Navajo Reservation, and not to exceed $5,000 may be used for defraying the expenses of Indian fairs, including premiums for exhibits.

Navajo Reservation, sheep-breeding station.

Advances for home construction, etc.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of land, seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $180,000, payable from tribal funds as follows: Flathead, Montana, $130,000; Fort Peck, Montana, $25,000; Standing Rock, North Dakota, $25,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1943 are hereby continued available during the fiscal year 1944 for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years under such rules and regulations as the Secretary

Reappropriation. 56 Stat. 516.

Advances for educational purposes.

may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1944 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary, and revenues derived therefrom shall be covered into the Treasury to the credit of the respective tribes: *Provided further*, That upon the incorporation of a tribe operating an enterprise under the authority contained in the foregoing proviso, the operation of the enterprise and the handling of revenues therefrom may thereafter be governed by the rules and regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under rules and regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Moneys reimbursed, availability.

Establishment, etc., of tribal enterprises.

Operation and handling of revenues.

48 Stat. 986.

Advances.

For the purpose of encouraging industry and self-support among Indians and promoting the economic development of tribes and of their members, not to exceed $600,000 of the revolving fund established pursuant to the Acts of June 18, 1934 (48 Stat. 986), and June 26, 1936 (49 Stat. 1967), may be loaned to individual Indians and Indian organizations otherwise ineligible to participate in said fund, under regulations prescribed pursuant to said Act or under ⊥other regulations prescribed by the Secretary and subject to the provisions of existing law relating to said revolving fund, except as otherwise provided herein; and not to exceed $135,000 of said revolving fund shall be available for all necessary expenses of administering such and other loans to Indians, including not to exceed $2,500 for printing and binding.

Loans to encourage industry, etc.

25 U. S. C. §§ 461–479; Supp. II, § 470a.

25 U. S. C. §§ 501–509.

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For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat. 891), including personal services, purchase and transportation of equipment and supplies, periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, not to exceed $2,500 for printing and binding, and other necessary expenses, $25,000, of which not to exceed $9,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $6,500 per annum.

Development of Indian arts and crafts.

25 U. S. C. §§ 305–305e.

Salary limitation.

The appropriation "Suppressing contagious diseases of livestock on Indian reservations" contained in the Third Supplemental National Defense Appropriation Act, 1942, is hereby continued available for the same purposes until June 30, 1944.

Reappropriation.

55 Stat. 826.

DEVELOPMENT OF WATER SUPPLY

For the development, rehabilitation, repair, maintenance, and operation of domestic and stock water facilities on the Navajo Reservation in Arizona, New Mexico, and Utah, the Hopi Reservation in Arizona, the Papago Reservation in Arizona, and the several Pueblos in New Mexico, including the purchase and installation of pumping and other equipment, $95,000.

IRRIGATION AND DRAINAGE

For the construction, repair, and maintenance of irrigation systems,

and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, $237,750, reimbursable, together with $44,500 operation and maintenance collections, from which latter amount expenditures for any one project shall not exceed the aggregate receipts from such project covered into the Treasury pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934:

48 Stat. 1227.
31 U. S. C. § 725c.

Miscellaneous projects, $40,415; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Fort Apache, $4,500; San Carlos, $5,000; Navajo, miscellaneous projects, Arizona and New Mexico, $37,950, together with $21,500 (Fruitlands, $9,000; Ganado, $1,500; Hogback, $7,000; miscellaneous projects, $4,000), collections; Hopi, miscellaneous projects, $1,500; San Xavier, $2,000; Truxton Canon, $1,000; California: Mission, $7,000; together with $3,000 (Morongo, $1,000; Pala and Rincon, $1,000; miscellaneous projects, $1,000), collections; Colorado: Southern Ute, $8,000, together with $8,000, collections; Montana: Tongue River, $2,250, together with $1,000, collections: Nevada: Pyramid Lake, $3,000, together with $500, collections; Walker River, $4,500, together with $1,500, collections: Western Shoshone, $8,000, together with $2,000, collections; New Mexico: Miscellaneous Pueb-⊥los, $24,300; Mescalero, $2,500; Oregon: Warm Springs, $3,500; Washington: Colville, $5,000, together with $5,000, collections; Lummi diking project, $500, together with $2,000, collections; and for necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $68,835: *Provided*, That the foregoing amounts shall be available interchangeably in the discretion of the Secretary, for necessary expenditures for damages by floods and other unforeseen exigencies, but the amounts so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

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Interchange of amounts.

Apportionment of costs.

San Carlos project, Ariz.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $125,000 (operation and maintenance collections), and $220,000 (power revenues), of which latter sum not to exceed $20,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts, of $125,000 and $220,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $345,000.

48 Stat. 1227.
31 U. S. C. § 725c.

Pima Indians, Ariz. Subjugation and cropping operations.

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed $200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Colorado River Indian Reservation, Ariz.

For improvement, operation, and maintenance of the irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat. 273), $9,000, reimbursable, together with $18,495, from which amount expenditures shall not

exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $11,500, reimbursable.

Yuma Reservation, Calif.

For improvements, maintenance, and operation of the Fort Hall irrigation systems, Idaho, $24,825, together with $23,100, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Hall irrigation systems, Idaho.

48 Stat. 1227.
31 U. S. C. § 725c.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $11,625, reimbursable, together with $3,875, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Belknap Reservation, Mont.

48 Stat. 1227.
31 U. S. C. § 725c.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, $7,500, ⊥reimbursable, together with $4,965, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project, Mont.

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48 Stat. 1227.
31 U. S. C. § 725c.

For the improvement, maintenance, and operation of the irrigation systems on the Blackfeet Indian Reservation in Montana, $11,350, reimbursable, together with $13,575, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Blackfeet Indian Reservation, Mont.

For operation and maintenance of the irrigation and power systems on the Flathead Reservation, Montana, $4,500, reimbursable, together with $114,750 (operation and maintenance collections) and $115,750 (power revenues), from which amounts of $114,750 and $115,750, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $235,000.

Flathead Reservation, Mont.

48 Stat. 1227.
31 U. S. C. § 725c.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $4,500, reimbursable, together with $42,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Crow Reservation, Mont.

For payment to the Tongue River Water Users' Association, Montana, or the State Water Conservation Board of Montana, in accordance with the provisions of the Act approved August 11, 1939 (53 Stat. 1411), $9,750, reimbursable as provided in said Act.

Tongue River Water Users' Association, etc., Mont.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,385; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, $5,565, to be immediately available; in all, $10,950.

Paiute Indian lands within Newlands project, Nev.

Drains to Truckee-Carson district.

For operation and maintenance assessments on Indian lands, and the buildings and grounds of the Albuquerque Indian School, within the Middle Rio Grande Conservancy District, New Mexico, $5,086, of which amount $3,948 shall be reimbursed in accordance with existing law.

Albuquerque Indian School, N. Mex.

Klamath Reservation, Oreg.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, Oregon, $2,480, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek and Modoc Point units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Uncompahgre, etc., Utes, Utah.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat. 375), $19,750, reimbursable, together with $36,250 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Uintah project, Utah.
25 U. S. C., Supp. II, § 389 note.

For payment of operation and maintenance assessments on certain lands within the Uintah Indian irrigation project as authorized by section 4 (a) of the Act of May 28, 1941 (55 Stat. 209), $1,000.

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Yakima Reservation, Wash.
Wapato system.

⊥For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $182,490 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.
Reimbursement to reclamation fund.

For reimbursement to the reclamation fund for stored water to irrigate Indian lands on the Yakima Indian Reservation, Washington, pursuant to the Act of July 1, 1940 (54 Stat. 707), $20,000.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat. 604), $11,000.

Wind River Reservation, Wyo.

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district and the Big Bend drainage district on the ceded reservation, $20,000, reimbursable, together with $28,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Protection against sabotage.

Protection of project works (national defense): For all expenses necessary to provide protection against sabotage and other subversive depredations, of dams, powerhouses, or other structures of the irrigation systems of the Indian Service, including employment of civilian guards, floodlights, gates, barricades, firearms, and ammunition, $70,000.

Construction, repair, etc., of designated projects.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

California: Mission, $7,500; Sacramento, $6,000;

Montana; Fort Belknap, $6,250;

Nevada: Carson, $11,000; Western Shoshone, $9,000;

Oregon: Warm Springs, $7,500;

Miscellaneous garden tracts, $60,000;

Surveys, investigations, etc.

For surveys, investigations, and administrative expenses, including

departmental personal services, and not to exceed $2,500 for printing and binding, $92,750;

In all, $200,000, to be reimbursable in accordance with law, and to remain available until completion of the projects: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Secretary, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 per centum.

Interchange of amounts.

EDUCATION

For the support of Indian schools not otherwise provided for, and for other Indian educational purposes, including apprentice teachers for reservation and nonreservation schools educational ⊥facilities authorized by treaty provisions, care of Indian children of school age attending public and private schools, support and education of deaf, dumb, blind, physically handicapped, delinquent, or mentally deficient Indian children; for subsistence of pupils in boarding schools during summer months, for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary may prescribe; and tuition and other assistance for Indian pupils attending public schools, and for the support of Indian museums at Rapid City, South Dakota, and Browning, Montana, $5,864,665; *Provided*, That formal contracts shall not be required for payment (which may be made from the date of admission) of such tuition and care of Indian pupils: *Provided further*, That not to exceed $10,000 of this appropriation may be used for printing and binding (including illustrations) in authorized Indian-school printing plants: *Provided further*, That no part of any appropriation in this Act for the Bureau of Indian Affairs shall be available for expenses of travel for the study of educational systems or practices outside the continental limits of the United States and the Territory of Alaska.

Support of Indian schools.

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Formal contracts not required.

Printing and binding.

Travel expenses, restriction.

Support of Indian schools from tribal funds: For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf and dumb or blind, physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than $340,190, including not to exceed $22,190 for payment of tuition for Chippewa Indian children enrolled in public schools and care of children of school age attending private schools in the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat. 645): *Provided*, That formal contracts shall not be required for payment (which may be made from the date of admission) of such tuition and care of Indian pupils.

Expenditures from tribal funds.

44 Stat. 560.

Chippewa children attending schools in Minnesota.

Formal contracts not required.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $1,500, payable from funds held in trust by the United States for the Osage Tribe.

St. Louis Mission Boarding School, Okla.

For reimbursable loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, including colleges and universities offering recognized vocational, trade, and professional courses, and for apprentice training in Federal, manufacturing, and other establishments, $55,000: *Provided*, That not more than $37,500 of the amount available for the fiscal year 1944 shall be available for loans to Indian students pursuing liberal-arts courses in high schools and colleges: *Provided further*, That advances made under this authorization shall be reimbursed in not to exceed eight

Vocational and trade schools.
Loans for payment of tuition.

Liberal-arts courses.

years, under such rules and regulations as the Secretary may prescribe.

Buildings at Indian schools.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the installation, repair, and improvement of heating, lighting, power, sewer, and water systems in connection therewith, and including the purchase of materials for the use of Indian pupils in the construction of buildings (not to exceed $1,500 for any one building) at Indian schools not otherwise provided for, $340,000.

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Nonreservation boarding schools.

Support, etc., of Indian pupils.

Phoenix, Ariz.

⊥For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts respectively:

Phoenix, Arizona: For five hundred pupils, including not to exceed $2,500 for printing and issuing school paper, $166,140; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,000; in all, $191,140;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $225,580; for pay of superintendent, drayage, and general repairs and improvements, $23,700; in all, $249,280;

Haskell Institute, Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For six hundred and twenty-five pupils, including not to exceed $2,500 for printing and issuing school paper, $217,360; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $25,200; in all, $242,560;

Pipestone, Minn.

Pipestone, Minnesota: For three hundred pupils, $100,235; for pay of superintendent, drayage, and general repairs and improvements, $15,200; in all, $115,435;

Carson City, Nev.

Carson City, Nevada: For five hundred and twenty-five pupils, $172,620; for pay of principal, drayage, and general repairs and improvements, $20,000; in all, $192,620;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For five hundred pupils, $173,320; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,200; in all, $198,520;

Santa Fe, N. Mex.

Santa Fe, New Mexico: For three hundred and eighty pupils, $137,845; for drayage, and general repairs and improvements, $15,000; in all, $152,845;

Wahpeton, N. Dak.

Wahpeton, North Dakota: For two hundred and seventy pupils, $89,515; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $102,515;

Chilocco, Okla.

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $226,600; for pay of superintendent, drayage, and general repairs and improvements, $25,200; in all, $251,800;

Sequoyah Orphan Training School, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, $117,545; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $132,545;

Carter Seminary, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $58,850; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $65,850;

Euchee, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $41,495; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $48,495;

Eufaula, Okla.

Eufaula, Oklahoma: For one hundred and forty pupils, $49,590; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $56,590;

Jones Academy, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $62,365; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $69,365;

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $46,835; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $53,835; Wheelock Academy, Okla.

Chemawa, Oregon: For four hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $156,485; for pay of superintendent, drayage, and general repairs and improvements, $20,200; in all, $176,685; Chemawa, Oreg.

⊥Flandreau, South Dakota: For four hundred and fifty pupils, $164,140; for pay of superintendent, drayage, and general repairs and improvements, $19,000; in all, $183,140; ⊥466 Flandreau, S. Dak.

Pierre, South Dakota: For three hundred pupils, $99,020; for pay of superintendent, drayage, and general repairs and improvements, $15,200; in all, $114,220; Pierre, S. Dak.

In all, for above-named nonreservation boarding schools, not to exceed $2,597,440: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget. Interchange of amounts. Report to Congress.

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools and for the repair of special Indian day schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $378,745, to be expended in the discretion of the Secretary and under rules and regulations to be prescribed by him: *Provided*, That not to exceed $26,000 may be expended for the payment of salaries of public-school teachers, employed by the State, county, or district in special Indian day schools in full-blooded Indian communities, where there are not adequate white day schools available for their attendance. Tuition for Indian pupils attending public schools, etc. Salaries of certain public-school teachers.

Natives in Alaska: To enable the Secretary, in his discretion, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; repair and rental of school buildings; textbooks and industrial apparatus; pay and traveling expenses of employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, $1,238,800, to be immediately available and to remain available until June 30, 1945: *Provided*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution. Natives in Alaska. Support, relief, etc. Report to Congress.

CONSERVATION OF HEALTH

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanitoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $25,000 for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infec- Clinical surveys and general medical research.

Allotments to specified hospitals and sanatoria.

tious diseases, $5,657,300, including not to exceed $4,145,000 for the following-named hospitals and sanatoria:

Arizona: Indian Oasis Hospital, $32,975; Kayenta Sanatorium, $55,725; Navajo Medical Center, $303,615; Phoenix Sanatorium, $116,420; Pima Hospital, $38,490; Truxton Canyon Hospital, $15,395; ⊥Western Navajo Hospital, $37,810; Chin Lee Hospital, $22,390; Fort Apache Hospital, $30,885; Hopi Hospital, $46,135; San Carlos Hospital, $34,100; Tohatchi Hospital, $19,485; Colorado River Hospital, $24,175; San Xavier Sanatorium, $47,495; Phoenix Hospital, $49,000; Winslow Sanatorium, $65,900;

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California: Hoopa Valley Hospital, $31,430; Soboba Hospital, $27,775; Fort Yuma Hospital, $23,895;

Colorado: Ute Mountain Hospital, $16,330; Edward T. Taylor Hospital, $30,000;

Idaho: Fort Lapwai Sanatorium, $103,250; Fort Hall Hospitals, $15,390;

Minnesota: Pipestone Hospital, $25,060; Cass Lake Hospital, $34,230; Fond du Lac Hospital, $27,315; Red Lake Hospital, $24,800; White Earth Hospital, $26,485;

Mississippi: Choctaw Hospital, $26,640;

Montana: Blackfeet Hospital, $52,515; Fort Peck Hospital, $29,530; Crow Hospital, $40,100; Fort Belknap Hospital, $36,675; Tongue River Hospital, $32,935;

Nebraska: Winnebago Hospital, $52,000;

Nevada: Carson Hospital, $29,595; Walker River Hospital, $27,785; Western Shoshone Hospital, $21,895;

New Mexico: Albuquerque Sanatorium, $115,130; Jicarilla Hospital and Sanatorium, $47,390; Mescalero Hospital, $25,745; Eastern Navajo Hospital, $73,050; Northern Navajo Hospital, $52,590; Taos Hospital, $17,645; Zuni Hospital, $34,250; Albuquerque Hospital, $55,070; Charles H. Burke Hospital, $34,065; Santa Fe Hospital, $46,580;

North Carolina: Cherokee Hospital, $25,545;

North Dakota: Turtle Mountain Hospital, $45,250; Fort Berthold Hospital, $21,600; Fort Totten Hospital, $25,410; Standing Rock Hospital, $37,715;

Oklahoma: Cheyenne and Arapahoe Hospital, $38,255; Talihina Sanatorium and Hospital, $211,085; Shawnee Sanatorium, $115,645; Claremore Hospital, $90,885; Clinton Hospital, $23,420; Pawnee and Ponca Hospital, $41,915; Kiowa Hospital, $157,820; William W. Hastings Hospital, $78,700;

Oregon: Warm Springs Hospital, $21,385;

South Dakota: Crow Creek Hospital, $23,755; Pine Ridge Hospitals, $66,750; Rosebud Hospital, $53,950; Yankton Hospital, $25,325; Cheyenne River Hospital, $42,085; Sioux Sanatorium, $154,045; Sisseton Hospital, $38,690;

Utah: Uintah Hospital, $32,700;

Washington: Yakima Sanatorium, $44,060; Tacoma Sanatorium, $382,270; Tulalip Hospital, $13,055; Colville Hospital, $42,480;

Wisconsin: Hayward Hospital, $43,550; Tomah Hospital, $37,190;

Wyoming: Wind River Hospital, $33,325;

Interchange of amounts.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation: *Provided further*, That in the discretion of the Secretary and under such rules and regulations as may be prescribed by

Report to Congress.

Contributions by nonreservation boarding schools.

Collection of fees.

him, fees may be collected from Indians for medical, hospital, and dental service and any fees so collected shall be covered into the Treasury of the United States.

⊥Medical relief in Alaska: To enable the Secretary in his discretion through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and traveling expenses of employees, and all other necessary miscellaneous expenses which are not included under the special heads, $575,000, to be available immediately and to remain available until June 30, 1945. ⊥468 Medical relief in Alaska

GENERAL SUPPORT AND ADMINISTRATION

For general administration of Indian property, including pay of employees, authorized by continuing or permanent treaty provisions, $2,785,000: *Provided*, That in the discretion of the Secretary, and under such rules and regulations as may be prescribed by him, fees may be collected from individual Indians for services performed for them, and any fees so collected shall be covered into the Treasury of the United States. Collection of fees.

For general support and rehabilitation of needy Indians in the United States, $700,000, of which amount not to exceed $1,000 shall be available for expenses of Indians participating in folk festivals, and not to exceed $40,000 shall be available for administrative expenses incident thereto, including departmental personal services (not to exceed $30,000). Support, etc., of needy Indians.

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, $80,000, to be immediately available, and to remain available until June 30, 1945. Reindeer service.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively: Support of Indians, etc., under specified agencies.

Arizona: Colorado River, $1,620; Fort Apache, $45,000; Navajo, $4,900, including all necessary expenses of holding a tribal fair, erection of structures, awards for exhibits and events, feeding of livestock, and labor and materials; Pima (Camp McDowell), $360; San Carlos, $4,240; Truxton Canon, $11,300; in all, $67,420;

California: Mission, $26,000;

Colorado: The appropriations under this head (Southern Ute and Ute Mountain) for the fiscal year 1943, including the purchase of land, the subjugation thereof, and the construction of improvements thereon, are hereby continued available until June 30, 1944, for the purposes hereof;

Iowa: Sac and Fox, $630;

Minnesota: Consolidated Chippewa, $1,600 for salary and incidental expenses of the secretary of the tribal executive committee;

Montana: Flathead, $35,000;

Nevada: Western Shoshone, $1,000;

North Carolina: Cherokee, $8,000;

Oregon: Klamath, $119,275, of which not to exceed $4,500 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary; Umatilla, $1,315; in all, $120,590;

Utah: Uintah and Ouray, $7,000;

⊥Washington: Colville, $5,400; Puyallup, $1,000 for upkeep of the Puyallup Indian cemetery; Taholah (Makah), $6,000, including the ⊥469

purchase of land, title to which shall be taken in the name of the United States in trust for the Makah Indians; Yakima, $300; Tulalip, $1,000; in all, $14,300;

Wisconsin: Menominee, $99,025, including $40,000, of which not exceeding $10,000, shall be available for general relief purposes and not exceeding $30,000 for monthly allowances, under such rules and regulations as the Secretary may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends and $5,200 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary: *Provided*, That not to exceed $6,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee advisory council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs;

Salaries, etc., of Menominee tribal officers.

In all, not to exceed $380,565.

Chippewa Indians, Minn.

Relief of Chippewa Indians in Minnesota (tribal funds): Not to exceed $49,000 of the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat. 645), may be expended, in the discretion of the Secretary, in aiding indigent Chippewa Indians including boarding home care of pupils attending public, private, or high schools.

Relief of needy Indians.

Relief of needy Indians: For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $100,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, Revised Statutes, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

41 U. S. C. § 5.
18 U. S. C. §§ 744a–744h.

Choctaw Chickasaw Sanatorium Reserve, sale of timber.

Expenses incidental to the sale of timber on the Choctaw-Chickasaw Sanatorium Reserve: Not to exceed $2,000 of the funds held by the United States in trust for the Choctaw and Chickasaw Tribes may be expended for expenses incidental to the sale of timber on the Choctaw-Chickasaw Sanatorium Reserve: *Provided*, That all payments from this appropriation shall be made in the same proportion as the interest of said tribes in such timber.

Five Civilized Tribes, Okla.
Expenses of tribal officers.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, and for salaries and contingent expenses, as follows: Expenses of governor, Chickasaw Nation, not to exceed $2,500; expenses of chief, Choctaw Nation, not to exceed $2,500; expenses of chief, Creek Nation, not to exceed $2,500; expenses of mining trustee, Choctaw-Chickasaw Nation, not to exceed $2,500; expenses of Choctaw tribal attorney, not to exceed $2,500; salary of governor, Chickasaw Nation, $3,000; salary of chief, Choctaw Nation, $3,000; salary of mining trustee, Choctaw-Chickasaw Nation, $3,000; salary of chief, Creek Nation, $1,200: *Provided*, That the attorneys for each of the Choctaw and Chickasaw Tribes shall be employed under contract approved by the President under existing law.

Attorneys.

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Osage Agency, Okla.
Post, p. 622

⊥Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of the superintendent of the

agency and of necessary employees, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and repair and operation of automobiles, $170,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That of the said sum herein appropriated $7,500 is hereby made available for traveling and other expenses of members of the Osage Tribal Council, business committees, or other tribal organizations, when engaged on business of the tribe, including supplies and equipment, not to exceed $6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs: *Provided further*, That no part of the funds appropriated herein shall be available for the collection of any income due the Osage Tribe of Indians or the enrolled members thereof where such income is not deposited to the credit of the said Osage tribal funds account or to the credit of the proper member's account.

Traveling expenses, etc.

Collection of income due Osage tribe

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $25,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in the District of Columbia or Chicago, Illinois, for more than an eight-day period, unless the Secretary shall in writing approve a longer period.

Tribal councils, etc. Expenses

Compensation and expenses of attorneys, Confederated Salish and Kootenai Tribes, Montana (tribal funds): For compensation and expenses of an attorney or attorneys employed by the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, under a contract approved by the Secretary on May 9, 1941, $24,000, payable from funds on deposit to the credit of such tribes.

Confederated Salish and Kootenai Tribes, Mont

Expenses of attorneys, Northern Cheyenne Tribe, Tongue River Reservation, Montana (tribal funds): For expenses of an attorney or attorneys employed by the Northern Cheyenne Tribe of Indians of the Tongue River Reservation under a contract approved by the Assistant Secretary of the Interior on March 15, 1941, $5,400, payable from funds on deposit in the Treasury to the credit of said tribe of Indians.

Northern Cheyenne Tribe, Mont

That the Secretary of the Interior be authorized and directed, with the consent of the business committee of the Shoshone Tribe of the Wind River Reservation in Wyoming, to purchase one United States Treasury War bond of the denomination of $500 for each member of said Shoshone Tribe according to the official roll of said tribe on the date of the approval of this Act, and pay the total cost of the bonds so purchased out of the accrued interest in the judgment fund of said tribe in the Treasury. Said bonds shall be purchased and registered in the name of each enrolled member of the Shoshone Tribe and when issued shall be held in trust for such Shoshone ⊥Indian by the United States to the date of maturity, whereupon said bond shall be delivered to the owner thereof free from such trust. Said bond shall not be sold or encumbered in any manner by the Shoshone owner nor shall said bond become liable, payable, or subject to any debt or debts contracted by the Shoshone owner prior to the date of maturity. In the event of the death of the Shoshone owner prior to the date of maturity, said bond, if not devised or bequeathed by will, shall descend to his or her

Shoshone Tribe of Wind River Reservation, Wyo.
Purchase of War bonds.
Post, p. 623.

⊥471

heirs or next of kin as provided by existing law, subject to the existing trust. The Secretary of the Treasury is hereby authorized and directed to grant permission to the county chairman of the War bond purchase program of Freemont County, Wyoming, in which county the Shoshone Tribe resides, to include the total amount of bonds purchased for the members of said tribe in his quota of War bond sales.

ROADS AND BRIDGES

Gallup-Shiprock Highway, N. Mex.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, and that portion of the State highway in New Mexico between Gallup, New Mexico, and Window Rock, Arizona, serving the Navajo Reservation, $20,000, reimbursable, as authorized by the Act of May 28, 1941.

55 Stat. 207.
Reservation roads.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Act of May 26, 1928 (25 U. S. C. 318a), as supplemented and amended, $950,000, to remain available until expended: *Provided*, That not to exceed $10,000 of the foregoing amount may be expended for departmental personal services: *Provided further*, That not to exceed $15,000 of this appropriation shall be available for repair of structures for housing road materials, supplies, equipment, and quarters for road crews.

45 Stat. 750.

ANNUITIES AND PER CAPITA PAYMENTS

Senecas, N. Y.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Six Nations, N. Y.
7 Stat. 46.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla.
7 Stat. 90.
11 Stat. 614.
7 Stat. 213.
7 Stat. 212, 236.
7 Stat. 235.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Pawnees, Okla.
11 Stat. 729; 27 Stat. 644.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Indians of Sioux reservations.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $175,000.

Interest on trust funds, payments.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $725,000.

⊥472
Availability of funds for purchase of supplies, etc.

Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including non-⊥reservation boarding schools and for conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Indian Service.

Travel expenses, etc.

Appropriations made for the Indian Service for the fiscal year 1944 shall be available for travel expenses; the purchase of ice, and the purchase of rubber boots for official use of employees.

BUREAU OF RECLAMATION

* * *

⊥WATER CONSERVATION AND UTILIZATION PROJECTS

⊥477

For the construction of water conservation and utilization projects and small reservoirs, including not to exceed $220,000 for surveys, investigations, and administrative expenses in connection therewith (of which not to exceed $20,000 shall be available for personal services in District of Columbia), all as authorized by the Act of August 11, 1939, as amended (16 U. S. C. 590y, 590z), $64,000.

Post, p. 623.

53 Stat. 1418.
16 U. S. C., Supp. II, § 590y.
Post, p. 566.

The paragraph appearing in the Interior Department Appropriation Act 1942 (55 Stat. 337), under the caption "Bureau of Reclamation" under the heading "General Fund, Construction" authorizing the Secretary to incur obligations and enter into contracts for construction work within specified amounts, and without regard to appropriations made therein on the Gila project, Arizona, Colorado-Big Thompson project, Colorado, Boise project, Idaho, Tucumcari project, New Mexico, Lugert-Altus project, Oklahoma, Provo River project, Utah, and the Yakima project, Washington, Roza division, and the paragraph in the said Act (55 Stat. 338) authorizing the Bureau of Reclamation to enter into contracts for the procurement of materials and supplies and for the purchase of necessary interest in lands for the Fort Peck project, Montana, are hereby repealed.

Authority to incur certain obligations etc., repealed.

Services or labor of prisoners of war, enemy aliens, and American-born Japanese who are in the control of the Federal Government may be utilized in connection with the construction, operation, and maintenance of Federal reclamation projects, water conservation and utilization projects, Indian irrigation projects, and related work, subject to the approval of, and regulations by, the War Department or other Federal agency having control of such persons.

Enemy aliens, etc. Utilization of labor and services.

GEOLOGICAL SURVEY

* * *

⊥Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 (48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves, and for necessary related operations; and for every expense incident thereto, including supplies, equipment, expenses of travel, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $475,000, of which not to exceed $68,000 may be expended for personal services in the District of Columbia;

⊥478

38 Stat. 742, 40 Stat. 297, 41 Stat. 437, 1363.

⊥During the fiscal year 1944 the head of any department or independent establishment of the Government having funds available for scientific and technical investigations within the scope of the functions of the Geological Survey may, with the approval of the Secretary, transfer to the Geological Survey such sums as may be necessary therefor, which sums so transferred may be expended for the same objects and in the same manner as sums appropriated herein may be expended: *Provided*, That any funds herein appropriated for the Geological Survey for cooperative work may be utilized prior to July 1, 1943, as required to enable the Geological Survey to continue its cooperative work pending reimbursement from cooperative agencies, the amount required for such cooperative work to be placed to the credit of the 1943 appropriation account of the Geological Survey and subsequently repaid to the appropriation from which advanced: *Provided further*, That not to exceed 10 per centum of any of the appropriations for the Geological Survey may be transferred to any other of such appropriations, but no appropriation shall be

⊥479

Cooperative work on scientific, etc., investigations.

Transfer of funds.

Expenditure.

Utilization of funds.

Interchange of amounts.

Report to Congress

increased more than 10 per centum thereby. Any such transfers shall be reported to Congress in the annual Budget;

In all, salaries and expenses, United States Geological Survey, $5,143,495.

* * *

1485

⊥NATIONAL PARK SERVICE

* * *

National parks: For administration, protection, maintenance, and improvement of national parks, including maintenance and operation of passenger-carrying automobiles;

* * *

1486

⊥. . . necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of Glacier National Park, Montana, and the international boundary; repair and maintenance of approximately two and seventy-seven one-hundredths miles of road leading from United States Highway 187 to the north entrance of Grand Teton National Park, Wyoming;

* * *

1488
Post, p. 624

⊥FISH AND WILDLIFE SERVICE

For salaries and expenses, including the purchase of printed bags, tags, and labels, without regard to existing laws applicable to public printing, and traveling expenses, necessary in conducting investigations and carrying out the work of the Service, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

SALARIES AND EXPENSES

* * *

Operation and maintenance of fish screens: For operation and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission, $11,350.

* * *

1493
Attendance at meetings, etc

⊥SEC. 5. Appropriations herein made for the following bureaus and offices shall be available for expenses of attendance of officers and employees at meetings or conventions of members of societies or associations concerned with their work in not to exceed the amounts indicated: Office of the Secretary, $500; Grazing Service, $400; Petroleum Conservation Division, $150; General Land Office, $400; Bureau of Indian Affairs, $3,000; Bureau of Reclamation, $2,500; Geological Survey, $1,500; Bureau of Mines, $5,000; National Park Service, $1,500; Fish and Wildlife Service, $2,250; and Soil and Moisture Conservation Operations (all bureaus), $1,500.

* * *

Approved, July 12, 1943.

[CHAPTER 229]

AN ACT

July 12, 1943
[H. R. 3030]
[Public Law 440]
57 Stat. 537

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1943, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1944, and for other purposes.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1943, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1944, and for other purposes: Second Deficiency Appropriation Act, 1943

* * *

⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS ⊥545

* * *

⊥AUDITED CLAIMS ⊥547

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1940 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 232, Seventy-eighth Congress, there is appropriated as follows: 18 Stat. 110. 23 Stat. 254.

* * *

⊥Department of the Interior: ⊥548

* * *

⊥For agriculture and stock raising among Indians, $52.88. ⊥549
For improvement of land records, Indian Service, $4,871.52.
For Indian boarding schools, $116.07.
For Indian school support, $11.46.
For purchase and transportation of Indian supplies, $3.01.
For conservation of health among Indians, $81.29.
For emergency conservation fund (transfer from War to Interior, Indians,) Act June 19, 1934), $254.07.
For Civilian Conservation Corps (transfer to Interior, Indians), $64.26.

* * *

⊥SEC. 204. (b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1940 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 84, Seventy-eighth Congress, there is appropriated as follows: ⊥550 18 Stat. 110. 23 Stat. 254.

* * *

⊥Department of the Interior: ⊥551

* * *

For Indian school support, $93.
For purchase and transportation of Indian supplies, $23.71.

* * *

Approved, July 12, 1943.

[CHAPTER 264]

AN ACT

To authorize a per capita payment of $10 to the members of the Santa Clara Pueblo of New Mexico from funds on deposit to their credit in the Treasury of the United States.

October 19, 1943
[H. R. 128]
[Public Law 162]
57 Stat. 572

Santa Clara Pueblo, N. Mex.
Per capita payment authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury so much as may be necessary of the funds to the credit of the Santa Clara Pueblo in the State of New Mexico which have accrued under the Act of March 4, 1929 (45 Stat. 1586), and to make therefrom a payment of not to exceed $10 to each member of the pueblo, under such rules and regulations as said Secretary may prescribe.

Approved, October 19, 1943.

[CHAPTER 266]

AN ACT

October 19, 1943
[S. 378]
[Public Law 164]
57 Stat. 572

To provide for the addition of certain land in the State of Arizona to the Montezuma Castle National Monument.

Montezuma Castle National Monument

⊥573
Addition of lands

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior, on behalf of the United States, is authorized to ⊥acquire, in his discretion, certain lands located in the State of Arizona known as the Montezuma Well property, containing approximately one hundred and eighty acres and situated within section 36, township 15 north, range 5 east, and section 31, township 15 north, range 6 east, Gila and Salt River meridian. Such lands, when acquired, shall become a detached unit of Montezuma Castle National Monument.

(b) Effective on the date of the acquisition of such property, the south half of the northwest quarter of section 31, township 15 north, range 6 east, Gila and Salt River meridian, containing eighty acres of land owned by the United States, shall also become a part of such national monument.

Administration.

SEC. 2. All laws, rules, and regulations applicable to such national monument shall be applicable with respect to the lands described in the first section of this Act upon the addition of such lands to such national monument. The title to real property acquired pursuant to this Act shall be satisfactory to the Secretary of the Interior.

Appropriation authorized

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary but not to exceed $25,000 to carry out the provisions of this Act.

Approved, October 19, 1943.

[CHAPTER 380]

AN ACT

December 23, 1943
[H. R. 3598]
[Public Law 216]
57 Stat. 611

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1944, and for other purposes.

First Supplemental National Defense Appropriation Act, 1944

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1944, and for other purposes:

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥621

⊥DEPARTMENT OF THE INTERIOR

* * *

⊥BUREAU OF INDIAN AFFAIRS ⊥622

For an additional amount for purchase and transportation of Indian supplies, fiscal year 1942, $85,000.

Minnesota Chippewa Tribe of Indians: For compensation and expenses of an attorney or attorneys employed by the Minnesota Chippewa Tribe of Indians under a contract or contracts approved by the Secretary of the Interior, $14,000, or so much thereof as may be necessary, payable from the principal sum on deposit to the credit of said tribe, arising under section 7 of the Act approved January 14, 1889 (25 Stat. 645), as amended by the Act of June 15, 1938 (52 Stat. 697), and the amount herein appropriated shall be available for compensation earned and expenses incurred during the period covered by said contract or contracts. Attorneys.

Payment to Frank O. Jones, Sac and Fox Indians, Oklahoma (tribal fund): For payment to Frank O. Jones for services performed while a member of the Sac and Fox, Oklahoma, Tribal Council, $36.32, payable out of funds on deposit in the Treasury to the credit of said tribe of Indians. Frank O. Jones.

Expenses of attorneys, Chickasaw Nation of Indians, Oklahoma (tribal funds): For expenses of attorneys of record for the Chickasaw Nation of Indians, Oklahoma, employed under authority of the Act of June 7, 1924 (43 Stat. 537), $1,000, payable out of funds on deposit in the Treasury to the credit of said tribe of Indians.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the employment at the rate of $4,500 per annum of a tribal attorney, fiscal year 1944, $2,625, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That said attorney be appointed with the approval of the Osage Tribal Council. Tribal attorney. *Ante*, p. 470.

Expenses of attorneys, Creek Nation of Indians, Oklahoma (tribal funds): For expenses of attorneys of record for the Creek Nation of Indians, Oklahoma, employed under authority of the Act of May 24, 1924 (43 Stat. 139), $2,000, payable out of funds on deposit in the Treasury to the credit of said tribe of Indians.

Expenses of attorneys, Seminole Nation of Indians, Oklahoma (tribal funds): For expenses of attorneys of record for the Seminole Nation of Indians, Oklahoma, employed under authority of the Act ⊥of May 20, 1924 (43 Stat. 133–134), $2,000, payable out of funds on deposit in the Treasury to the credit of said tribe of Indians. ⊥623

That the section of the Interior Department Appropriation Act, 1944, approved July 12, 1943 (Public Law 133, Seventy-eighth Congress, page 22), which authorizes and directs the Secretary of the Interior to purchase United States Treasury War bonds for the membership of the Shoshone Tribe of Indians is hereby amended to read as follows: *Ante*, p. 470.

"That the Secretary of the Interior is authorized and directed, with the consent of the business committee of the Shoshone Tribe of the Wind River Reservation in Wyoming, to purchase one United States Treasury Series E War bond of the denomination of $500 for each member of said Shoshone Tribe according to a roll of said tribe prepared as of July 12, 1943, and approved by the Secretary of the Interior, and to pay the total cost of the bonds so purchased out of the principal of the judgment fund of said tribe in the Treasury. Each bond shall be registered by the Treasury Department in the name of the Commissioner of Indian Affairs in trust for the enrolled member of the Shoshone Tribe for whom purchased and shall be held by the United States until the date of maturity, whereupon said bond shall be redeemed and the proceeds thereof paid to the Indian owner free of any trust or restriction. In the event of the death of the Shoshone owner, the proceeds of said bond at maturity shall be distributed to his Shoshone Tribe of Wind River Reservation, Wyo. Purchase of Series E War bonds.

devisees or heirs or next of kin as provided by existing law. The Secretary of the Treasury is hereby authorized and directed to grant permission to the county chairman of the War bond purchase program of Fremont County, Wyoming, in which county the Shoshone Tribe resides, to include the total amount of bonds purchased for the members of said tribe in his quota of War bond sales."

* * *

1632 ⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

1634 ⊥AUDITED CLAIMS

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1941 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 322, Seventy-eighth Congress, there is appropriated as follows:

18 Stat. 110

23 Stat. 254

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1635 ⊥**Department of the Interior:**

* * *

1636 ⊥For purchase and transportation of Indian supplies, $45.99.

For Civilian Conservation Corps (transfer to Interior, Indians), $23.47.

For Indian school buildings, $215.42.

For conservation of health among Indians, $217.98.

For Indian school support, $895.88.

For expenses, sale of timber (reimbursable), $1.65.

For support of Indians and administration of Indian property, $635.78.

For Indian service supply fund, $7.80.

For Indian boarding schools, $5.50.

For agriculture and stock raising among Indians, $16.03.

* * *

1637 ⊥SEC. 204. (b) For the payment of the following claims, certified to be due by the General Accounting Office, under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1941 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of ⊥the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 119, Seventy-eighth Congress, there is appropriated as follows:

18 Stat. 110.

1638
23 Stat. 254

* * *

1640 ⊥**Department of the Interior:**

* * *

For emergency conservation work (transfer to Interior, Indians, Act February 9, 1937), $43.52.

For Indian boarding schools, $51.88.

For Indian school support, $84.25.

For purchase and transportation of Indian supplies, $2.13.

For Civilian Conservation Corps (transfer to Interior, Indians), $101.22.

For conservation of health among Indians, $728.23.

For agriculture and stock raising among Indians, $13.33.

For maintenance, Fruitlands irrigation project, Navajo Reservation, New Mexico (reimbursable), $14.10.

For Indian service supply fund, $311.96.

* * *

Approved, December 23, 1943.

PUBLIC LAWS OF THE SEVENTY-EIGHTH CONGRESS, SECOND SESSION, 1944

[CHAPTER 65]

AN ACT

To give effect to the Provisional Fur Seal Agreement of 1942 between the United States of America and Canada; to protect the fur seals of the Pribilof Islands; and for other purposes.

February 26, 1944
[H. R. 2924]
[Public Law 237]
58 Stat. 100

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when used in this Act—

Fur seals.

(a) "Pelagic sealing" means the killing, capturing, or pursuing, or the attempted killing, capturing, or pursuing of fur seals at sea, whether within or without the territorial waters of the United States.

"Pelagic sealing."

(b) "Sealing" means the killing, capturing, or pursuing, or the attempted killing, capturing, or pursuing, of fur seals in or on any lands or waters subject to the jurisdiction of the United States.

"Sealing."

(c) "Sea otter hunting" means the killing, capturing, or pursuing, or the attempted killing, capturing, or pursuing, of sea otters at sea, except in waters subject to the jurisdiction of the United States where other laws are applicable.

"Sea otter hunting."

(d) "Person" includes individual, association, partnership, and corporation.

"Person."

(e) "Secretary" means the Secretary of the Interior.

"Secretary."

(f) "Fur-seal agreement" means the provisional fur-seal agreement between the United States and Canada effected by an exchange of notes signed at Washington on December 8, 1942, and on December 19, 1942, and any other treaty, convention or other agreement hereafter entered into by the United States for the protection of fur seals.

"Fur-seal agreement."

Post, p. 1379.

(g) "North Pacific Ocean" includes the Bering Sea.

"North Pacific Ocean."

(h) "Import" means land on or bring into, or attempt to land on or bring into, any place subject to the jurisdiction of the United States.

"Import."

⊥SEC. 2. It shall be unlawful, except as hereinafter provided, for any citizen or national of the United States, or person owing duty of obedience to the laws or treaties of the United States, or any vessel of the United States, or person belonging to or on such vessel, to engage in pelagic sealing or sea otter hunting in or on the waters of the North Pacific Ocean; or for any person or vessel to engage in sealing; or for any person or vessel to use any port or harbor or other place subject to the jurisdiction of the United States for any purpose connected in any way with the operation of pelagic sealing, sea otter hunting, or sealing; or for any person to transplant, import, offer for sale, or have in possession at any port, place, or on any vessel subject to the jurisdiction of the United States, raw, dressed, or dyed skins of sea otters taken contrary to the provisions of this section or, where taken pursuant to section 3 of this Act, not officially marked and certified as having been so taken, or raw, dressed, or dyed skins of fur seals taken in or on the waters of the North Pacific Ocean or on lands subject to the jurisdiction of the United States, except seal skins which have been taken under the authority of this Act or under the authority of the respective parties to any fur-seal agreement and which have been officially marked and certified as having been so taken.

⊥101
Unlawful acts.

Use of ports, etc.

Illegal traffic in skins.

SEC. 3. Indians, Aleuts, or other aborigines dwelling on the American coasts of the waters of the North Pacific Ocean shall be permitted to carry on pelagic sealing or sea otter hunting without the use of

Aborigines.
Permission for pelagic sealing, etc.

firearms from canoes or undecked boats, propelled wholly by paddles, oars, or sails, and not transported by or used in connection with other vessels, and manned by not more than five persons each, in the way heretofore practiced by said Indians, Aleuts, or other aborigines, and shall be permitted to dispose of the skins of fur seals or sea otters so taken as they see fit, but only after such skins have been officially marked and certified as provided in section 2 of this Act. The exception made in this section shall not apply to Indians, Aleuts, or other aborigines in the employment of other persons or who shall engage in pelagic sealing or sea otter hunting under contract to deliver the skins to any person.

Disposition of skins.

Persons excluded.

Sealing on Pribilof Islands, etc.

SEC. 4. In order to continue the proper utilization of the fur-seal herd of the North Pacific Ocean and to carry out the purposes of this Act, the Secretary is authorized to permit sealing on the Pribilof and other islands and on the shores of waters subject to the jurisdiction of the United States, by officers and employees of the Fish and Wildlife Service designated by him and by the natives of the Territory of Alaska, and to adopt suitable regulations governing the same whenever he shall determine that such sealing is necessary or desirable and not inconsistent with preservation of the fur seals of the North Pacific Ocean. The Secretary is also authorized to permit pelagic sealing in the event of emergency circumstances by officers, employees and agents of the United States and by the natives of the Territory of Alaska under such conditions and for such periods as may be agreed upon by consultation between the Government of the United States and the Government of Canada in accordance with the provisions of article II of the Provisional Fur Seal Agreement of 1942.

Pelagic sealing in emergency circumstances.

Post p. 1380.

Sale of skins.

SEC. 5. Subject to the provisions of sections 3 and 15 of this Act, all seal or sea-otter skins taken under the authority conferred by this Act, or forfeited to the United States, and all sealskins delivered to the United States pursuant to the terms of any fur-seal agreement shall be sold under the direction of the Secretary in such market, at such times, and in such manner as he may deem most advantageous; and the proceeds of such sale shall be paid into the Treasury of the United States.

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Pribilof Islands declared special reservation.

Trespass.

[SEC. 6. The Pribilof Islands, including the islands of Saint Paul and Saint George, Walrus and Otter Islands, and Sea Lion Rock, in Alaska, are declared a special reservation for Government purposes. It shall be unlawful for any person other than natives of the said islands and officers and employees of the Fish and Wildlife Service to land or remain on any of those islands, except through stress of weather or like unavoidable cause or by the authority of the Secretary, and any person found on any of those islands contrary to the provisions of this section shall be summarily removed and shall be deemed guilty of a misdemeanor, punishable by a fine not exceeding $500 or by imprisonment not exceeding six months, or by both fine and imprisonment.

Employment of natives.

SEC. 7. Whenever seals are killed and sealskins taken on any of the Pribilof Islands, the native inhabitants of the islands shall be employed in such killing and in curing the skins taken, and shall receive for their labor fair compensation to be fixed from time to time by the Secretary, who shall have the authority to prescribe the manner in which such compensation shall be paid to the natives or expended or otherwise used on their behalf and for their benefit.

Provisions and supplies.

SEC. 8. The Secretary shall have authority to establish and maintain depots for provisions and supplies on the Pribilof Islands and to provide for the transportation of such provisions and supplies from the mainland of the United States to the islands by the charter of private vessels or by the use of public vessels of the United States which may be under his control or which may be placed at his disposal by the President; and he likewise shall have authority to furnish food, shelter, fuel, clothing, and other necessities of life to the native

Furnishing necessities to natives.

inhabitants of the Pribilof Islands and to provide for their comfort, maintenance, education, and protection.

Scientific investigations

SEC. 9. Under the direction of the Secretary, the Fish and Wildlife Service is authorized to investigate the conditions of seal life upon the rookeries of the Pribilof Islands, and to continue the inquiries relative to the life history and migrations of the seals frequenting the waters of the North Pacific Ocean.

Enforcement of provisions

SEC. 10. Any officer or employee of the Department of the Interior authorized by the Secretary, any naval or other officer designated by the President, any marshal or deputy marshal, any collector or deputy collector of customs, and any other person authorized by law to enforce the provisions of this Act shall have power, without warrant, to arrest any person committing a violation of this Act or any regulation made pursuant thereto in his presence or view, and to take such person immediately for examination or trial before an officer or court of competent jurisdiction; and shall have power, without warrant, to search any vessel within any of the territorial waters of the United States, or any vessel of the United States on the high seas, when he has reasonable cause to believe that such vessel is subject to seizure under this section. Any officer, employee, or other person authorized to enforce the provisions of this Act shall have power to execute any warrant or process issued by an officer or court of competent jurisdiction for the enforcement of the provisions of this Act; and shall have power with a search warrant to search any person, vessel, or place at any time. The judges of the courts established under the laws of the United States, and the United States commissioners, may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue warrants in all such cases. All fur seals and sea otters, or the skins thereof, killed, captured, transported, imported, offered for sale, or possessed contrary to the provisions of this Act or of any regulation made pursuant thereto, and any vessel used or employed contrary to the provisions ⊥of this Act or of any regulation made pursuant thereto, or which it ⊥103 reasonably appears has been or is about to be used or employed in or in aid of the performance of any act forbidden by the provisions of this Act or of any regulation made pursuant thereto, together with its tackle, apparel, furniture, appurtenances, and cargo, may, whenever and wherever lawfully found, be seized by any such officer, employee, or other person.

Arrest and trial of violators

Power to search vessels, etc.

Issuance of warrants

Seizures

Penal provisions

SEC. 11. Except where otherwise expressly provided in this Act, any person violating any provision of this Act or any regulation made pursuant thereto shall be punished for each such offense, upon conviction thereof, by a fine of not less than $200 nor more than $2,000, or by imprisonment for not more than six months, or by both fine and imprisonment. All fur seals or sea otters, or the skins thereof, killed, captured, transported, imported, offered for sale, or possessed contrary to any provision of this Act or any regulation made pursuant thereto shall be forfeited to the United States and shall be disposed of pursuant to section 5 of this Act. Any vessel used or employed contrary to any provision of this Act or of any regulation made pursuant thereto shall, together with its tackle, apparel, furniture, appurtenances, and cargo, be forfeited to the United States and shall be disposed of as directed by the court having jurisdiction.

Forfeiture of fur seals, etc.

Forfeiture of vessels

Enforcement

SEC. 12. It shall be the duty of all collectors of customs to enforce the provisions of this Act with respect to the importation of the skins of fur seal and sea otter.

Seizures by officers of other parties to agreement

SEC. 13. Any person or vessel described in section 2 of this Act in any of the waters of the North Pacific Ocean designated in any fur-seal agreement, including in any event the waters north of the thirtieth parallel of north latitude and east of the one hundred and eightieth meridian, violating or being about to violate the prohibitions

of this Act against pelagic sealing may be seized and detained by the naval or other duly commissioned officers of any of the parties to such fur-seal agreement other than the United States, except within the territorial jurisdiction of one of the other said parties, on condition, however, that when such person or vessel is so seized and detained by officers of any party other than the United States, such person or vessel shall be delivered as soon as practicable at the nearest point to the place of seizure, with witnesses and proofs necessary to establish the offense so far as they are under the control of such party, to the proper official of the United States, whose courts alone shall have jurisdiction to try the offense and impose penalties for the same. The said officers of any party to any such fur-seal agreement other than the United States shall seize and detain persons and vessels, as in this section specified, only after such party, by appropriate legislation or otherwise, shall have authorized naval or other officers of the United States duly commissioned and instructed by the President to that end to seize, detain, and deliver to the proper officers of such party vessels and persons under the jurisdiction of that government offending against any such fur-seal agreement, or any statute or regulation made by that government to enforce any such fur-seal agreement. Upon the giving of such authority by such party, such naval or other officers of the United States shall have authority to make the seizures, detentions, and deliveries described. The President of the United States shall determine by proclamation when such authority has been given by the other party to any such fur-seal agreement, and his determination shall be conclusive upon the question; such proclamation may be modified, amended, or revoked by proclamation of the President whenever in his judgment it is deemed expedient.

Delivery to proper U S official

Reciprocal authority required.

Determination of authority by Executive proclamation

⊥104
Patrol of waters.

⊥SEC. 14. It shall be the duty of the President to cause a guard or patrol to be maintained in the waters frequented by the seal herds and sea otter in the protection of which the United States is especially interested, composed of naval or other public vessel of the United States designated by him for such service.

Authority to receive and deliver skins

SEC. 15. The Secretary shall have authority to receive on behalf of the United States any fur sealskins taken by any party to any fur-seal agreement and tendered for delivery by such party in accordance with the terms of such fur-seal agreement, and all skins which are or shall become the property of the United States from any source whatsoever shall be disposed of in accordance with the provisions of section 5 of this Act. The Secretary likewise shall have authority to deliver to the authorized agents of any government that is a party to a fur-seal agreement the skins to which such government is entitled under the provisions of such fur-seal agreement, and to do or perform, or cause to be done of performed, any act which the United States is authorized or obliged to do or perform by the provisions of such fur-seal agreement.

Special permits

SEC. 16. Nothing contained in this Act shall apply to the killing, capturing, pursuing, transportation, importation, offering for sale, or possession of fur seals or sea otters, or the skins thereof, for scientific purposes under special permit issued therefor by the Secretary.

Administration

SEC. 17. The Secretary shall supervise and direct the administration of this Act through the Fish and Wildlife Service and shall make all regulations necessary for the enforcement of this Act and any fur-seal agreement. It shall be his duty to provide for the enforcement of all of the provisions of this Act and of the regulations issued thereunder, except to the extent otherwise provided for in this Act, and to cooperate with other Federal agencies and with the duly authorized officials of the government of any party to any fur-seal agreement in the enforcement of such agreement. Out of such moneys as may be appropriated for such purposes, he shall employ in Washington, District of Columbia, and elsewhere such individuals and means as he

may deem necessary for the administration of this Act and of any other function imposed upon him by any fur-seal agreement.

Repeal of inconsistent provisions.

SEC. 18. All Acts and parts of Acts inconsistent with the provisions of this Act, including but not limited to the following, are hereby repealed: Sections 1956, 1959, 1960, and 1961 of the Revised Statutes of the United States; Act of February 21, 1893 (27 Stat. 472, ch. 150); Act of April 6, 1894 (28 Stat. 52); Act of December 29, 1897 (30 Stat. 226, ch. 3); Act of April 21, 1910 (36 Stat. 326, ch. 183); Act of August 24, 1912 (37 Stat. 499, ch. 373); and joint resolution of June 22, 1916 (39 Stat. 236, ch. 171), all as amended.

16 U. S. C. ch. 5, Supp. III, ch. 5.

Effective period of certain provisions.

SEC. 19. The provisions of this Act which implement the Provisional Fur-Seal Agreement of 1942 concluded between the United States of America and Canada shall remain in effect only for the duration of the present hostilities and twelve months thereafter unless either the Government of the United States of America or the Government of Canada enacts legislation contrary thereto, or until twelve months after either Government shall have notified the other Government of its intention to terminate the agreement.

Post, p. 1379.

Approved, February 26, 1944.

[CHAPTER 78]

AN ACT

To amend the Act of March 3, 1927, entitled "An Act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes."

March 3, 1944
[H. R. 85]

[Public Law 245
58 Stat. 108

Pensions. Indian wars.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of March 3, 1927 (U. S. C., title 38, sec. 381; 44 Stat. 1361), is hereby amended to read as follows:

⊥109
Service requirement.

39 Stat. 1199.
38 U. S. C. § 375.

⊥"SECTION 1. That any person who served thirty days or more, or for the duration of one of the campaigns cited in section 1 of the Act of March 4, 1917, even though such campaign was of less than thirty days' duration, in any military organization, whether such person was regularly mustered into the service of the United States or not, but whose service was under the authority or by the approval of the United States or any State or Territory in any Indian war or campaign, or in connection with, or in the zone of, any active Indian hostilities in any of the States or Territories of the United States from January 1, 1817, to December 31, 1898, inclusive, the determination as to what constitutes the zone of active Indian hostilities to be made by the Administrator of Veterans' Affairs, and who is now or may hereafter be suffering from any mental or physical disability or disabilities of a permanent character which so incapacitate him for the performance of manual labor as to render him unable to earn a support, shall, upon making due proof of the fact, according to such rules and regulations as the Administrator of Veteran' Affairs may provide, be placed upon the pension roll of the United States and be entitled to receive a pension not exceeding $60 a month and not less than $20 a month, proportioned to the degree of inability to earn a support, and in determining such inability each and every infirmity shall be duly considered and the aggregate of the disabilities shown shall be rated, these rates to be fixed as follows: $20 a month for one-tenth disability, $25 a month for one-fourth disability, $35 a month for one-half disability, $50 a month for three-fourths disability, and $60 a month for total disability: *Provided*, That any such person who has reached the age of sixty-two years shall, upon making proof of such fact, be entitled to receive a pension of $30 a month; and in case such person has reached the age of sixty-five years, $60 a month: *Provided further*, That any such person who is now or hereafter may become, on account of age or physical or mental disabilities, helpless or blind, or so

Disability rating.

Veterans attaining ages of 62 and 65.

Helpless or blind veterans.

nearly helpless or blind as to need or require the regular aid and attendance of another person, shall be given a rate of $100 a month."

SEC. 2. Section 4 of the Act of March 3, 1927 (U. S. C., title 38, sec. 381c; 44 Stat. 1363), is hereby amended to read as follows:

Commencement of pension or increased rate

"SEC. 4. The pension or increased rate of pension herein provided for shall commence from the date of filing application therefor after the date of enactment of this Act in such form as may be prescribed by the Administrator of Veterans' Affairs, or the date of the inception of the requisite condition as shown by the evidence, whichever is the later: *Provided*, That as to veterans who hereafter apply for and receive pension under the provisions of this Act, increased pension by reason of disability requiring the regular aid and attendance of another person shall be effective as of the date of inception of the requisite condition as shown by the evidence, but not earlier than the date of the original application for pension hereunder."

Veteran requiring attendant

SEC. 3. The Act of March 3, 1927 (U. S. C., title 38, secs. 381–381d; 44 Stat. 1361–1363), is hereby amended by adding a new section numbered 6 to read as follows:

Certain dependent unremarried widows
Ante, p. 108

"SEC. 6. The dependent unremarried widow of any person who rendered service as described in section 1 of this Act, who is barred from receiving pension because her marriage to the veteran occurred subsequent to March 3, 1917, but who is otherwise entitled to pension under section 2 of this Act, shall be entitled to pension in her own right and to the additional pension provided for minor and helpless children in said section 2: *Provided*, That she has attained the age of sixty years, was married to the veteran ten or more years prior to his death, and lived with him continuously from ⊥the date of marriage to the date of his death, except where there was a separation which was due to or procured by the veteran without the fault of the widow: *Provided further*, That if pension has been granted to an insane, idiotic, or otherwise helpless child of the veteran or to a child or children of the veteran under sixteen years of age, the widow shall not be entitled to the pension authorized by this section until the pension to the child or children terminates, unless such child or children be a member or members of her family and cared for by her; and when these conditions are fulfilled and the pension is granted to the widow, payment of pension to such child or children shall cease; except that in the event the amount being paid to such child or children is less than the amount authorized to the widow by this section, then the difference between said amounts shall be paid to the widow: *Provided further*, That any widow otherwise entitled to pension under this Act who has attained or who shall hereafter attain the age of seventy years shall be entitled to and paid a pension at the rate of $40 per month: *Provided further*, That the widow otherwise entitled under this Act who was the wife of the veteran during the period of his service in an Indian war or campaign shall be entitled to and shall be paid a pension at the rate of $50 per month. Payment of pension or increase of pension at the rates provided in this section shall commence as provided in section 4 of this Act. Pension and increase of pension under this section shall not be paid to the widow who has remarried either once or more than once since the death of the veteran, and upon remarriage of such a widow her pension shall be terminated."

44 Stat. 1362.
38 U. S. C. § 381a

Age and marital relationship.

⊥110

If pension granted to helpless child or child under 16.

Widow attaining age of 70 years

Wife of veteran during his war service.

Commencement date

Ante, p. 109
Remarried widows.

SEC. 4. The Act of March 3, 1927 (U. S. C., title 38, secs. 381–381d; 44 Stat. 1361–1363), is hereby amended by adding a new section numbered 7 to read as follows:

Existing rights or pensions.

"SEC. 7. Nothing contained in the provisions of this Act shall be construed to discontinue, diminish, or reduce any pension heretofore granted, nor to abridge or deny rights under any law in effect on the date of enactment of this Act, nor be held to affect or diminish the additional pension to those on the roll designated as the Army and Navy Medal of Honor Roll, as provided by the Act of April 27, 1916, but

Army and Navy Medal of Honor Roll.
39 Stat. 53
38 U. S. C. §§ 391–394; Supp. III, § 393.

any pension or increase of pension herein provided for shall be in addition thereto."

Approved, March 3, 1944.

[CHAPTER 81]

AN ACT

To reserve certain public-domain lands in the State of Arizona for addition to the Havasupai Indian Reservation, and for other purposes.

March 4, 1944
[S. 1000]
[Public Law 246]
58 Stat. 110

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 5, 8, 17, and 20 of township 30 north, range 2 west, of the Gila and Salt River base and meridian, Arizona, on the public domain, be, and the same are hereby, permanently reserved as an addition to the Havasupai Indian Reservation. This withdrawal is made subject to valid existing rights of any persons thereto initiated prior to August 29, 1940, the date on which these lands were temporarily withdrawn from further disposition by the Secretary of the Interior pending the enactment of legislation adding them to the Havasupai Indian Reservation.

Havasupai Indian Reservation.
Addition of lands.

SEC. 2. The Secretary of the Interior is authorized to exchange lands within the area described in section 1 with the State of Arizona for all or a portion of the State-owned lands identified as sections 28 and 29, township 30 north, range 2 west, and the west half section 32, township 31 north, range 2 west, Gila and Salt River base and merid-⊥ian. The lands received from the State under such exchange shall become a part of the Havasupai Indian Reservation.

Lands in exchange

⊥111

SEC. 3. The Secretary of the Interior is hereby authorized, in his discretion, to purchase certain improvements on the State-owned lands from the lessee of said lands, at a price to be agreed upon by and between the contracting parties. The sum of $11,100, or as much thereof as may be necessary, is hereby authorized to be appropriated, out of any funds in the United States Treasury not otherwise appropriated, to purchase said improvements.

Purchase of improvements

Appropriation authorized
Post, p. 470

Approved, March 4, 1944.

[CHAPTER 146]

AN ACT

To promote sustained-yield forest management in order thereby (a) to stabilize communities, forest industries, employment, and taxable forest wealth; (b) to assure a continuous and ample supply of forest products; and (c) to secure the benefits of forests in regulation of water supply and stream flow, prevention of soil erosion, amelioration of climate, and preservation of wildlife.

March 29, 1944
[S. 250]
[Public Law 273]
58 Stat. 132

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote the stability of forest industries, of employment, of communities, and of taxable forest wealth, through continuous supplies of timber; in order to provide for a continuous and ample supply of forest products; and in order to secure the benefits of forests in maintenance of water supply, regulation of stream flow, prevention of soil erosion, amelioration of climate, and preservation of wildlife, the Secretary of Agriculture and the Secretary of the Interior are severally authorized to establish by formal declaration, when in their respective judgments such action would be in the public interest, cooperative sustained-yield units which shall consist of federally owned or administered forest land under the jurisdiction of the Secretary establishing the unit and, in addition thereto, land which reasonably may be expected to be made the subject of one or more of the cooperative agreements with private landowners authorized by section 2 of this Act.

Cooperative sustained-yield forest management.

SEC. 2. The Secretary of Agriculture, with respect to forest land under his jurisdiction, and the Secretary of the Interior, with respect

Agreements with private landowners.

to forest land under his jurisdiction, are severally authorized, for the purposes specified in section 1 of this Act, to enter into cooperative agreements with private owners of forest land within a cooperative sustained-yield unit, established pursuant to section 1 of this Act, providing for the coordinated management of such private forest land and of federally owned or administered forest lands within the sustained-yield unit involved.

Noncompetitive purchases of forest products

Each cooperative agreement may give the cooperating private landowner the privilege of purchasing without competitive bidding at prices not less than their appraised value, subject to periodic readjustments of stumpage rates and to such other conditions and requirements as the Secretary may prescribe, timber and other forest products from federally owned or administered forest land within the unit, in accordance with the provisions of sustained-yield management plans formulated or approved by the Secretary for the unit; shall limit the time, rate, and method of cutting or otherwise harvesting timber and other forest products from the land of the cooperating private landowner, due consideration being given to the character and condition of the timber, to the relation of the proposed cutting to the sustained-yield plan for the unit, and to the productive capacity of the land; shall prescribe the terms and conditions, but not the price, upon which the cooperating private landowner may sell to any person timber and other forest products from his land, compliance by the purchaser with such conditions to be required by the contract of sale; shall contain such provisions as the Secretary deems necessary to protect the reasonable interest of other owners of forest land within the unit; and shall contain such other provisions as the Secretary believes necessary to carry out the purposes of this Act.

Limitation on harvesting

Sales

Protection of landowners' interest

⊥134

Recordation of agreement

⊥Each cooperative agreement shall be placed on record in the county or counties in which the lands of the cooperating private landowner covered thereby are located, and the costs incident to such recordation may be paid out of any funds available for the protection or management of federally owned or administered forest land within the unit. When thus recorded, the agreement shall be binding upon the heirs, successors, and assigns of the owner of such land, and upon purchasers of timber or other forest products from such land, throughout the life of such cooperative agreement.

Establishment of units for maintenance of community stability.

SEC. 3. The Secretary of Agriculture and the Secretary of the Interior are further severally authorized, whenever in their respective judgments the maintenance of a stable community or communities is primarily dependent upon the sale of timber or other forest products from federally owned or administered forest land and such maintenance cannot effectively be secured by following the usual procedure in selling such timber or other forest products, to establish by formal declaration for the purpose of maintaining the stability of such community or communities a sustained-yield unit consisting of forest land under the jurisdiction of the Secretary establishing such unit, to determine and define the boundaries of the community or communities for whose benefit such unit is created, and to sell, subject to such conditions and requirements as the Secretary believes necessary, federally owned or administered timber and other forest products from such unit without competitive bidding at prices not less than their appraised values, to responsible purchasers within such community or communities.

Coordinated plan of management.

Inclusion of certain lands

SEC. 4. Each of the said Secretaries is further authorized in his discretion to enter into cooperative agreements with the other Secretary, or with any Federal agency having jurisdiction over federally owned or administered forest land, or with any State or local agency having jurisdiction over publicly owned or administered forest land, providing for the inclusion of such land in any coordinated plan of management otherwise authorized by the provisions of this Act when

by such a cooperative agreement he may be aided in accomplishing the purposes of this Act; but no federally or publicly owned or administered forest land not under the jurisdiction of the Secretary establishing the sustained-yield unit concerned shall be included in any such plan except in pursuance of a cooperative agreement made under this section.

Advance notice.

SEC. 5. Before any sustained-yield unit authorized by section 1 or section 3 of this Act shall be established, and before any cooperative agreement authorized by section 2 or section 4 of this Act shall be entered into, advance notice thereof shall be given by registered mail to each landowner whose land is proposed to be included and by publication in one or more newspapers of general circulation in the vicinity of the place where the timber is located, and the costs incident to such publication may be paid out of any funds available for the protection or management of the federally owned or administered forest land involved. This notice shall state: (1) the location of the proposed unit; (2) the name of each proposed cooperator; (3) the duration of the proposed cooperative agreement or agreements; (4) the location and estimated quantity of timber on the land of each proposed cooperator and on the Federal land involved; (5) the expected rate of cutting of such timber; and (6) the time and place of a public hearing to be held not less than thirty days after the first publication of said notice for the presentation of the advantages and disadvantages of the proposed action to the community or communities affected.

Public hearing.

Noncompetitive sale agreements.

Before any sale agreement made without competition and involving more than $500 in stumpage value of federally owned or administered timber shall be entered into under this Act, advance notice thereof ⊥shall be given by publication once weekly for four consecutive weeks in one or more newspapers of general circulation in the vicinity of the place where the timber is located, and the costs incident to such publication may be paid out of any funds available for the protection or management of federally owned or administered forest land within the unit concerned. This notice shall state: (1) the quantity and appraised value of the timber; (2) the time and place of a public hearing to be held not less than thirty days after the first publication of said notice if requested by the State or county where the timber is located or by any other person deemed to have a reasonable interest in the proposed sale or in its terms; and (3) the place where any request for a public hearing shall be made. Such requests need be considered only if received at the place designated in the notice not later than fifteen days after the first publication of such notice. If a request for a hearing is received within the time designated, notice of the holding of the hearing shall be given not less than ten days before the time set for such hearing, in the same manner as provided for the original notice.

Public hearing.

Records of hearings.

The determination made by the Secretary having jurisdiction upon the proposals considered at any such hearing, which determination may include the modification of the terms of such proposals, together with the minutes or other record of the hearing, shall be available for public inspection during the life of any coordinated plan of management or agreement entered into in consequence of such determination.

Failure to comply with terms of agreement.

SEC. 6. In addition to any other remedy available under existing law, upon failure of any private owner of forest land which is subject to a cooperative agreement entered into pursuant to this Act to comply with the terms of such agreement, or upon failure of any purchaser of timber or other forest products from such land to comply with the terms and conditions required by such agreement to be included in the contract of sale, the Attorney General, at the request of the Secretary concerned, is authorized to institute against such owner or such purchaser a proceeding in equity in the proper district

Institution of suit.

court of the United States, to require compliance with the terms and conditions of said cooperative agreement; and jurisdiction is hereby conferred upon said district courts to hear and determine such proceedings, to order compliance with the terms and conditions of cooperative agreements entered into pursuant to this Act, and to make such temporary and final orders as shall be deemed just in the premises. As used in this section the term "owner" shall include the heirs, successors, and assigns of the landowner entering into the cooperative agreements.

Jurisdiction.

"Owner."

"Federally owned or administered forest land."

SEC. 7. Whenever used in this Act, the term "federally owned or administered forest land" shall be construed to mean forest land in which, or in the natural resources of which, the United States has a legal or equitable interest of any character sufficient to entitle the United States to control the management or disposition of the timber or other forest products thereon, except land heretofore or hereafter reserved or withdrawn for purposes which are inconsistent with the exercise of the authority conferred by this Act; and shall include trust or restricted Indian land, whether tribal or allotted, except that such land shall not be included without the consent of the Indians concerned.

Authority of Secretary of Agriculture and Secretary of the Interior.

SEC. 8. The Secretary of Agriculture and the Secretary of the Interior may severally prescribe such rules and regulations as may be appropriate to carry out the purposes of this Act. Each Secretary may delegate any of his powers and duties under this Act to other officers or employees of his Department.

SEC. 9. Nothing contained in this Act shall be construed to abrogate or curtail any authority conferred upon the Secretary of Agriculture ⊥135 ⊥or the Secretary of the Interior by any Act relating to management of federally owned or administered forest lands, and nothing contained in any such Acts shall be construed to limit or restrict any authority conferred upon the Secretary of Agriculture or the Secretary of the Interior by this Act.

Funds available.

SEC. 10. Funds available for the protection or management of Federally owned or administered forest land within the unit concerned may also be expended in carrying out the purposes of this Act, and there are hereby authorized to be appropriated such additional sums for the purposes of this Act as the Congress may from time to time deem necessary, but such additional sums shall not exceed $150,000 for the Department of Agriculture and $50,000 for the Department of the Interior, for any fiscal year.

Additional appropriations authorized.
Post, p. 606

Approved, March 29, 1944.

April 1, 1944
[H. R. 4346]

[Public Law 279]
58 Stat. 150

[CHAPTER 152]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1944, and for other purposes.

First Deficiency Appropriation Act, 1944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1944, and for other purposes:

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥157

BUREAU OF INDIAN AFFAIRS

Payment of interest on Indian trust funds: For an additional amount for payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, fiscal year 1943, $65,720.

Compensation and expenses of an attorney, Ute Tribe, Utah (tribal funds): For compensation and expenses of an attorney employed by the Ute Tribe of Indians of the Uintah and Ouray Reservation, Utah, under a contract approved by the Secretary of the Interior on November 18, 1943, $4,500, payable from funds on deposit to the credit of the tribe.

* * *

⊥TITLE II—WAR OVERTIME PAY AND OTHER COMPENSATION INCREASES ⊥163

SEC. 201. For additional amounts for appropriations for the fiscal year 1944, for the payment of overtime and additional compensation authorized by the Act of April 1, 1943 (Public Law 22, Seventy-eighth Congress), and May 7, 1943 (Public Law 49, Seventy-eighth Congress), as follows:

57 Stat. 57, 75. 3 U. S. C., Supp. III, § 63 note; 50 U. S. C., Supp. III, app §§ 1401-1415.

* * * *Ante*, p. 115; *Post*, p. 758.

⊥DEPARTMENT OF THE INTERIOR ⊥169

* * *

"Salaries, Bureau of Indian Affairs, 1944", $70,000;

"Maintaining law and order on Indian reservations, 1944", $26,000;

"Administration of Indian forests, 1944", $52,600;

"Expenses, sale of timber (reimbursable), 1944", $27,600;

"Agriculture and stock raising among Indians, 1944", $100,000;

"Development of Indian arts and crafts, 1944", $3,700;

"Water supply for Indians in Arizona, New Mexico, and Utah, 1944", $5,000;

⊥"Irrigation, Indian reservations (reimbursable), 1944", $15,000; ⊥170

"Maintenance, San Carlos Irrigation project, Gila River Reservation, Arizona (receipt limitation), 1944", $29,700;

"Improvement and maintenance, irrigation system, Colorado River Reservation, Arizona (reimbursable), 1944", $1,500;

"Improvement and maintenance, irrigation system, Colorado River Reservation, Arizona (receipt limitation), 1944", $3,000;

* * *

"Maintenance, irrigation systems, Fort Belknap Reservation, Montana (reimbursable), 1944", $2,000;

"Maintenance, irrigation systems, Fort Belknap Reservation, Montana (receipt limitation), 1944", $400;

"Maintenance, irrigation systems, Fort Peck Reservation, Montana (reimbursable), 1944", $1,400;

"Maintenance, irrigation systems, Fort Peck Reservation, Montana (receipt limitation), 1944", $470;

"Maintenance, irrigation systems, Flathead Reservation, Montana (receipt limitation), 1944", $26,890;

"Improvement and maintenance, irrigation systems, Crow Reservation, Montana (reimbursable), 1944", $3,190;

"Improvement and maintenance, irrigation systems, Crow Reservation, Montana (receipt limitation), 1944", $3,520;

"Improvement and maintenance, irrigation systems, Klamath Reservation, Oregon (reimbursable), 1944", $110;

"Improvement and maintenance, irrigation systems, Klamath Reservation, Oregon (receipt limitation), 1944", $320;

"Maintenance, irrigation system, Uintah Reservation, Utah (reimbursable), 1944", $5,000;

"Maintenance, irrigation system, Uintah Reservation, Utah (receipt limitation, 1944", $4,250;

"Maintenance, irrigation system, Wind River Reservation and ceded lands, Wyoming (reimbursable), 1944", $3,250;

"Maintenance, irrigation system, Wind River Reservation and ceded lands, Wyoming (receipt limitation), 1944", $3,750;

"Indian school support, 1944", $260,000;

"Education of natives of Alaska, 1944 and 1945", $125,000;

"Medical relief of natives of Alaska, 1944 and 1945", $58,200;

"Administration of Indian property, 1944", $355,000;

"Reindeer Service, Alaska, 1944 and 1945", $10,200;

"Miscellaneous Indian tribal funds, 1944", to be derived from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums:

Arizona: Pima (Camp McDowell), $90; San Carlos, $750; and Truxton Canon, $1,800; in all, $2,640;

Oregon: Klamath, $18,310;

Washington: Colville, $885;

Support of Osage Agency and pay of tribal officers, Oklahoma, $19,240;

* * *

⊥177 ⊥TITLE III—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

⊥179 ⊥AUDITED CLAIMS

SEC. 304. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1941 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 470, Seventy-eighth Congress, there is appropriated as follows:

18 Stat. 110.

23 Stat. 254

* * *

⊥182 **⊥Department of the Interior:**

* * *

For Indian school support, $849.84.

For conservation of health among Indians, $536.79.

For support of Indians and administration of Indian property, $118.15.

For purchase and transportation of Indian supplies, $65.07.

For education of natives of Alaska, $1,247.38.

For Indian boarding schools, $2.96.

For expenses of organizing Indian corporations, and so forth, $6.80.

For maintenance, Wapato irrigation and drainage system, and so forth, Yakima Reservation, Washington (receipt limitation), $75.99.

For maintaining law and order on Indian reservations, $3.25.

For Civilian Conservation Corps (transfer to Interior, Indians), $224.07.

For emergency conservation work (transfer to Interior, Indians, Act June 22, 1936), $5.15.

For Indian service supply fund, $2,007.67.

* * *

⊥184 ⊥(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service

18 Stat. 110

of the fiscal year 1941 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 173, Seventy-eighth Congress, there is appropriated as follows: 23 Stat. 254

* * *

⊥Department of the Interior: For Civilian Conservation Corps (transfer to Interior, Indians), $47.50. ⊥185

For Indian Service supply fund, $260.

For support of Indians and administration of Indian property, $2,176.41.

For purchase and transportation of Indian supplies, $67.90.

For conservation of health among Indians, $77.22.

* * *

Approved, April 1, 1944.

[CHAPTER 211]

JOINT RESOLUTION

To provide for the disposition of the proceeds to accrue as a result of the interlocutory judgment of the Court of Claims in the suit brought against the United States by the Menominee Tribe of Indians, and for other purposes.

May 29, 1944
[H. J. Res. 166]

[Public Law 316]
58 Stat. 255

Whereas the United States Court of Claims, by interlocutory judgment of December 1, 1941, in a suit by the Menominee Tribe of Indians against the United States, Numbered 44294, brought pursuant to the provisions of the Act of September 3, 1935 (ch. 839, 49 Stat. 1085), as amended, found and held that the Menominee Indians are entitled to recover from the United States the value of timber removed from, and the present acquisition cost of, certain swamplands within the boundaries of their reservation which the United States, in violation of the provisions of the treaty of May 12, 1854 (10 Stat. 1064), failed to convey to the Menominee Indians, but reserved for further proceedings the determination of the amount of the recovery and the deduction of offsets, if any; and

Whereas said Act of September 3, 1935, provided that in the event of a judgment against the United States as aforesaid, the United States may in lieu of paying the present acquisition costs of such lands acquire and hold said lands in trust for the sole benefit and use of the Menominee Tribe of Indians, but provided no method for exercising such election: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That upon petition of the attorneys for the Menominee Tribe of Indians, the Court of Claims shall, in order to give effect to its interlocutory judgment, enter judgment in favor of the said tribe for (a) $13,666.80, representing the amount of the recovery by reason of the timber removed since May 12, 1854, from the swamplands which the court has found the United States unlawfully failed to convey to the said tribe pursuant to the treaty of May 12, 1854; and (b) $1,767,616.11, representing the present acquisition cost of such lands to the said tribe of Indians; and no offsets, including gratuities, shall be allowed to the United States in determining the amount of such judgment, but any such offsets which the United States may have, including gratuities, as defined in section 3 of the Act of September 3, 1935 (ch. 839, 49 Stat. 1085), as amended, may be pleaded and allowed in any other suit now pending or hereafter to be brought by the Menominee Tribe of Indians against the United States. ⊥256

Menominee Tribe of Indians.
Judgment for certain timbered swamplands.

10 Stat. 1064

Offsets.

SEC. 2. Upon the entry of such judgment, which shall not bear interest, a copy or transcript thereof, certified by the clerk of the Court of Claims, and signed by the Chief Justice, or in his absence by the presiding judge of said court, shall be presented, as in other cases,

Certification to Congress.

to the Secretary of the Treasury, who shall certify the same to the Congress for appropriation.

Attorneys' fees.

SEC. 3. After the entry of such judgment, the Court of Claims, without awaiting the appropriation by the Congress of money to pay the same, shall, on petition of attorneys for the Menominee Tribe of Indians, determine the amount of fees which the attorneys for the Menominee Tribe of Indians shall be entitled to receive under section 7 of the Act of September 3, 1935, as amended.

49 Stat. 1088.

Payment.

SEC. 4. Upon the making of an appropriation by the Congress for the payment of the judgment rendered there shall be set aside from such appropriation a sum sufficient to pay the attorneys' fees, which shall, however, not be paid until after the completion of the purchase of the swamplands specified in section 1 (b), as hereinafter provided; said appropriation to be disbursed by the Secretary of the Interior as herein provided. The portion of such judgment representing the value of the timber specified in section 1 (a) less the pro rata amount thereof deductible for attorneys' fees, in the same ratio that the total amount of attorney's fees bears to the amount of the judgment, shall upon the completion of the purchase of the said swamplands be deposited in the Treasury of the United States to the credit of the Menominee Tribe of Indians as provided in the last sentence of section 7 of the Act of September 3, 1935, as amended. The balance of the appropriation shall be available for the purchase from the State of Wisconsin, but not by eminent domain, of the swamplands specified in section 1 (b). The purchase of the said swamplands shall be made by the Secretary of the Interior, who is authorized to accept on behalf of the United States a quitclaim deed or other form of conveyance to such lands satisfactory to the Attorney General of the United States. Title to such lands shall be taken in the name of the United States in trust for the Menominee Tribe of Indians. The United States shall acquire and hold such lands for the sole benefit and use of the said Indians as if they had become part of the Menominee Reservation pursuant to the treaty of May 12, 1854.

Deposit of net amount to credit of tribe.

49 Stat. 1088.

Purchase of swamplands from State of Wisconsin.

Title in trust for Menominee Tribe.

10 Stat. 1064.

Time limit for completion of purchase.

SEC. 5. In the event that said purchase is not completed within one year after the entry of judgment by the Court of Claims, then, upon petition of the Attorney General or the attorneys for the Menominee Tribe of Indians, the Court of claims shall vacate and set aside the said judgment entered pursuant to section 1 hereof. Thereupon the court shall proceed to determine, as provided by the Act of September 3, 1935, as amended, the amount of offsets, if any, deductible from the amounts specified in sections 1 (a) and 1 (b) of this Act, and shall render final judgment pursuant to the terms of the Act of September 3, 1935, as amended. In rendering final judgment under this section, the court may redetermine the amount of the attorneys' fees. Such judgment shall be satisfied from the appropriation made pursuant to sections 2 and 4 hereof; and any balance of moneys appropriated shall thereupon be carried to the general fund of the Treasury of the United States.

Final judgment.

49 Stat. 1085.

Modification of conflicting laws.

SEC. 6. All Acts or parts of Acts in conflict herewith, including the Act of September 3, 1935, are, to the extent of such conflict, modified accordingly.

Approved, May 29, 1944.

[CHAPTER 212]

AN ACT

May 29, 1944
[H. R. 2143]

To authorize the Secretary of the Interior to exchange certain lands within the Navajo Indian Reservation, Arizona.

[Public Law 317]
58 Stat. 257

Navajo Indian Reservation, Ariz.
Exchange of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to exchange approximately six acres

of Navajo Tribal land located in section 26, township 27 north, range 26 east, Gila and Salt River meridian, Apache County, Arizona, for a tract of Mission land containing approximately four and fourteen-one-hundredths acres in section 27, township 27 north, range 26 east, Gila and Salt River meridian, Apache County, Arizona, being a portion of the land fee patented to the Woman's Board of Home Missions of the Presbyterian Church in the United States of America.

SEC. 2. Title to the land received in the exchange shall be satisfactory to the Secretary of the Interior and shall be taken in the name of the United States of America in trust for the Navajo Indian Tribe. Title

Approved, May 29, 1944.

[CHAPTER 220]

AN ACT

June 1, 1944
[H. R. 329]
[Public Law 323]
58 Stat. 266

To authorize the Secretary of the Interior to incur obligations for the benefit of natives of Alaska in advance of the enactment of legislation making appropriations therefor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may authorize such officer or officers as may be designated by him to incur obligations in excess of appropriations currently available for the benefit of natives of Alaska, whenever said Secretary may determine such action to be necessary in order to insure the proper functioning of activities of the Office of Indian Affairs and of the Fish and Wildlife Service in Alaska during any ensuing fiscal year, payments of such obligations to be made from the respective appropriations for the new fiscal year when they become available: *Provided*, That such authority shall not be exercised earlier than the 1st day of January in any one fiscal year: *Provided further*, That excess obligations may be incurred only for the purchase of supplies, materials, and equipment; the amount of advance obligations so authorized shall not exceed 75 per centum of the total available in the current appropriations for such purposes: *And provided further*, That such obligations incurred in connection with the activities of the Office of Indian Affairs may be liquidated from the Indian Service supply fund, which fund shall be reimbursed from applicable appropriations, when made, for the ensuing fiscal year. Alaska. Advance obligations for benefit of natives. Limitations. Liquidation.

SEC. 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved, June 1, 1944.

[CHAPTER 221]

AN ACT

June 1, 1944
[H. R. 2105]
[Public Law 324]
58 Stat. 266

Extending the time for repayment and authorizing increase of the revolving fund for the benefit of the Crow Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for repayment to the tribe of the $50,000 revolving fund for the benefit of the Crow Indians, created by the Act of June 4, 1920 (41 Stat. 755), for advance to the Indians for the purchase of seed, animals, machinery, tools, implements, and other equipment is hereby extended from June 30, 1945, to June 30, 1965, for the same purposes: *Provided*, That upon request of the tribal council of the Crow Tribe and the approval of the Secretary of the Interior, any unobligated balances in the Crow consolidated 4 per centum fund may be added to the $50,000 revolving fund and become available for the same purposes and subject to the same conditions. Crow Indians. Time extension for repayment of fund. 49 Stat. 244. Increase of fund.

Approved, June 1, 1944.

[CHAPTER 237]

AN ACT

June 7, 1944
[H. R. 2085]

To provide for the disposition of tribal funds of the Minnesota Chippewa Tribe of Indians.

[Public Law 330]
58 Stat. 271

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of existing law, the tribal funds now on deposit or hereafter placed to the credit of the "Minnesota Chippewa Tribe of Indians", in the United States Treasury, shall be available for such purposes as may be designated by the tribal council of said tribe and approved by the Secretary of the Interior.

Minnesota Chippewa Tribe of Indians.

Tribal funds.

Approved, June 7, 1944.

[CHAPTER 243]

AN ACT

June 13, 1944
[S. 1081]

To add certain lands to the Upper Mississippi River Wild Life and Fish Refuge.

[Public Law 335]
58 Stat. 274

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to acquire, for and as part of the Upper Mississippi River Wild Life and Fish Refuge, established pursuant to the authority contained in the Act of June 7, 1924 (43 Stat. 650), as amended, those tracts of land situated in Wabasha County, Minnesota, described as lots 6 and 10, section 19, township 110 north, range 9 west, fifth principal meridian, containing approximately one hundred and ten and twenty-four one-hundredths acres, which tracts of land were acquired pursuant to authority contained in the Acts of June 29, 1888 (25 Stat. 228), and March 2, 1889 (25 Stat. 992), for Indian use, but are no longer used by Indians.

Upper Mississippi River Wild Life and Fish Refuge.
Addition of lands.

16 U. S. C. §§ 721–731.

Transfer of funds.

SEC. 2. In order to carry out the provisions of section 1 hereof, the sum of $1,261.20 from funds heretofore made available to the Fish and Wildlife Service for the purchase of lands for the Upper Mississippi River Wild Life and Fish Refuge is hereby made available for transfer on the books of the Treasury of the United States to the credit of the Medawakanton and Wahpakoota Bands of Sioux Indians, pursuant to the provisions of the Act of May 17, 1926 (44 Stat. 560), and said sum, when so transferred, shall operate as a full, complete, and perfect extinguishment of all their right, title, and interest in and to the lands above described, and shall be subject to disbursement under the direction of the Secretary of the Interior for the benefit of the Medawakanton and Wahpakoota Bands of Sioux Indians. Where groups of such Indians are organized as tribes under the Act of June 18, 1934 (48 Stat. 984), the Secretary of the Interior may set apart and disburse for their benefit and upon their request a proportionate part of said sum, based on the number of such Indians so organized.

25 U. S. C. § 155.

25 U. S. C. §§ 461–479.

Approved, June 13, 1944.

[CHAPTER 275]

AN ACT

June 26, 1944
[H. R. 4483]

Making appropriations for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes.

[Public Law 362]
58 Stat. 327

War Department Civil Appropriation Act, 1945.
Post, pp. 872, 876.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes, namely:

* * *

⊥CORPS OF ENGINEERS ⊥328

* * *

⊥FLOOD CONTROL ⊥329

Flood control, general:

* * *

... ⊥*Provided*, That the provision contained in the Interior Department Appropriation Act, 1942 (55 Stat. 320), concerning the acquisition of mineral rights owned by the Osage Tribe in lands to be acquired for the Hulah Dam and Reservoir project is hereby amended by adding the following: "*Provided*, That if just compensation cannot be agreed upon the Secretary of War may institute proceedings to condemn said mineral rights pursuant to existing laws: *Provided further*, That the construction of the dam may be commenced at any time after the institution of such proceedings". ⊥330

Hulah Dam and Reservoir project.

Compensation for mineral rights.

Dam construction.

* * *

Approved, June 26, 1944.

[CHAPTER 277]

AN ACT

June 26, 1944
[H. R. 4414]

Making appropriations for the Legislative Branch and for the Judiciary for the fiscal year ending June 30, 1945, and for other purposes.

[Public Law 354]
58 Stat. 334

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch and for the Judiciary for the fiscal year ending June 30, 1945, namely:

Legislative and Judiciary Appropriation Act, 1945.

TITLE I—LEGISLATIVE BRANCH

SENATE

Legislative Branch Appropriation Act, 1945.
Post, pp. 853, 873.

* * *

⊥COMMITTEE EMPLOYEES ⊥335

Clerks and messengers to the following committees:

* * *

⊥Indian Affairs—clerk, $3,900; assistant clerk, $3,600 and $1,400 additional so long as the position is held by the present incumbent; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. ⊥336

* * *

⊥HOUSE OF REPRESENTATIVES ⊥340

* * *

⊥COMMITTEE EMPLOYEES ⊥341

Clerks, messengers, and janitors to the following committees:

Post, p. 832.

* * *

Indian Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260.

* * *

Approved, June 26, 1944.

[CHAPTER 294]

AN ACT

June 28, 1944
[H. R. 4264]

Making appropriations for the Departments of State, Justice, and Commerce, for the fiscal year ending June 30, 1945, and for other purposes.

[Public Law 365]
58 Stat. 395

Departments of State, Justice, and Commerce Appropriation Act, 1945

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, and Commerce, for the fiscal year ending June 30, 1945, namely:

TITLE I—DEPARTMENT OF STATE

* * *

Department of State Appropriation Act, 1945

Post, pp. 869, 876.

⊥402

Post, p. 870.

⊥INTERNATIONAL OBLIGATIONS

Contributions, quotas, etc.

Post, p. 871.

United States contributions to international commissions, congresses, and bureaus: For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts as follows:

* * *

Inter-American Indian Institute, $4,800;

* * *

Approved, June 28, 1944.

[CHAPTER 298]

AN ACT

June 28, 1944
[H. R. 4679]

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1945, and for other purposes.

[Public Law 369]
58 Stat. 463

Interior Department Appropriation Act, 1945

Post, pp. 545, 864, 876.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1945, namely:

OFFICE OF THE SECRETARY

* * *

⊥465

⊥CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

* * *

⊥466

Purchase of books, etc.

Additional sums from specified appropriations

⊥For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, $500, and in addition there is hereby made available from any appropriations made for any of the following bureaus or offices of the Department not to exceed the following respective sums: Grazing Service, $250; Indian Service, $500; Bureau of Reclamation, $8,000; Geological Survey, $6,000; National Park Service, $2,500; General Land Office, $1,000; Bureau of Mines, $4,500.

* * *

⊥469

Post, p. 865.

⊥BUREAU OF INDIAN AFFAIRS

SALARIES AND GENERAL EXPENSES

For departmental personal services, including such services in the District of Columbia, $798,175.

For travel expenses of departmental employees of the Bureau of Indian Affairs; radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, District of Columbia, and ⊥Chicago, Illinois; rental of office equipment and the purchase of necessary supplies therefor, and other necessary expenses of the Indian Service for which no other appropriation is available, $41,800.

⊥470

For advertising, inspection, storage, and all other expenses incident

to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $790,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Purchase of goods and supplies.

For maintaining law and order on Indian reservations, including pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, and including traveling expenses, supplies, and equipment, $321,000.

Maintenance of law and order.

For lease, purchase, construction (not to exceed $1,500 for any one building), repair, and improvement of agency buildings, exclusive of hospital buildings, including the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $182,000.

Lease, etc., of agency buildings.

Vehicles, Indian Service: Not to exceed $450,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed $200,000 of applicable appropriations may be used for the purchase of motor-propelled passenger-carrying vehicles, and such vehicles may be used for the transportation of Indian school pupils.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

INDIAN LANDS

Navajo Indians.

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, $15,000, payable from funds on deposit to the credit of the Navajo Tribe.

Restricted lands, taxes, etc.
50 Stat. 573.

The unexpended balance of the appropriation of $25,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for the payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, as authorized by the Act of June 20, 1936 (49 Stat. 1542), is hereby continued available for the same purposes until June 30, 1945.

25 U. S. C. § 412a.

Havasupai Indian Reservation, Ariz.

Purchase of improvements on lands, Havasupai Indian Reservation, Arizona: For the purchase of improvements on exchanged lands as authorized by and in accordance with the provisions of the Act of March 4, 1944 (Public Law 246), $11,000: *Provided*, That title to any ⊥improvements so purchased shall be taken in the name of the United States in trust for the Indians of the Havasupai Reservation.

Ante, p. 110.

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Colville Indians, Wash.

Purchase of land, Colville Indians, Washington (tribal funds): For the purchase of land and improvements thereon, including the purchase of timber and expenses incidental to such acquisition, for the Indians of the Colville Reservation, Washington, $50,000, payable from funds on deposit to the credit of the Colville Indians: *Provided*, That

title to any timber, land, and improvements so purchased shall be taken in the name of the United States in trust for the Colville Indians.

Southern Ute Indians, Colo.

Purchase of land, Southern Ute Indians, Colorado (tribal funds): For the purchase of land for the Indians of the Southern Ute Reservation, Colorado, $30,000, payable from funds on deposit to the credit of the Southern Ute Indians: *Provided,* That title to any land so purchased shall be taken in the name of the United States in trust for the Southern Ute Indians.

Fort Peck Reservation, Mont.

Purchase of land, Fort Peck Reservation, Montana (tribal funds): For the purchase of land and improvements thereon for the Indians of the Fort Peck Reservation, Montana, $25,000, payable from funds on deposit to the credit of the Fort Peck Indians: *Provided,* That title to any land and improvements so purchased shall be taken in the name of the United States in trust for the Fort Peck Indians.

Flathead Indians, Mont.

Purchase of land, Flathead Indians, Montana (tribal funds): For the purchase of land and improvements thereon for the Indians of the Flathead Reservation, Montana, $38,000, payable from funds on deposit to the credit of said Indians: *Provided,* That title to any land and improvements so purchased shall be taken in the name of the United States in trust for the Indians of the Flathead Reservation.

Eastern Band of Cherokee Indians, N. C.

Purchase of land, Eastern Band of Cherokee Indians, North Carolina (tribal funds): For the purchase of land and improvements thereon for the Eastern Band of Cherokee Indians, North Carolina, $2,500, payable from funds on deposit to the credit of said Indians: *Provided,* That title to any lands and improvements so purchased shall be taken in the name of the United States in trust for the Eastern Band of Cherokee Indians.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, $504,000: *Provided,* That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Availability of funds.

Timber sales, etc., expenses.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands only from which such timber is sold, $175,000, reimbursable to the United States as provided in the Act of February 14, 1920 (25 U. S. C. 413), from the proceeds of timber sales: *Provided,* That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

41 Stat. 415.

Rewards.

⊥1472

Suppression, etc., of forest fires.

⊥For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $12,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided,* That not to exceed $50,000 of appropriations herein made for timber operations shall be available upon the approval of the Secretary for fire-suppression or emergency prevention purposes: *Provided further,* That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Geological Survey Transfer of funds.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted

Indian lands leased under the provisions of the Acts of February 28, 1891 (25 U. S. C. 336, 371, 397), May 27, 1908 (35 Stat. 312), March 3, 1909 (25 U. S. C. 396), and other Acts authorizing the leasing of such lands for mining purposes, including purchase (not to exceed $2,000), maintenance, repair, and operation of passenger-carrying vehicles, and not to exceed $10,000 for personal services in the District of Columbia, $85,000.

26 Stat. 794; 35 Stat. 783

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $681,000, of which not to exceed $10,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $33,500 may be used for the operation and maintenance of a sheepbreeding station on the Navajo Reservation, and not to exceed $5,000 may be used for defraying the expenses of Indian fairs, including premiums for exhibits.

Development of agriculture and stock raising.

Navajo Reservation, sheepbreeding station.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of land, seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $77,000, payable from tribal funds as follows: Flathead, Montana, $27,000; Fort Peck, Montana, $50,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1944 are hereby continued available during the fiscal year 1945 for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years under such regulations as the Secretary may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1945 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary: *Provided further*, That enterprises operated under the authority contained in the foregoing proviso shall be governed by the regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropria-⊥tions made herein, may be advanced to such tribe, if incorporated, for use under regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Advances for home construction, etc.

Funds continued available. 57 Stat. 19.

Advances for educational purposes.

Moneys reimbursed, availability.

Tribal enterprises.

48 Stat. 986; 25 U. S. C., Supp. III, § 470a.

Advances, 1473.

Not to exceed $155,000 of the revolving fund established pursuant to the Acts of June 18, 1934 (48 Stat. 986), and June 26, 1936 (49 Stat. 1967), as amended, shall be available for all necessary expenses of administering loans to Indians from said fund and other funds; including not to exceed $2,500 for printing and binding.

Loans to Indians.

25 U. S. C. §§ 461-479, Supp. III, § 470a; 25 U. S. C. §§ 501-509.

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat. 891), including personal services, purchase and transportation of equipment and supplies, periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, ex-

Development of Indian arts and crafts.

25 U. S. C. §§ 305-305e.

penses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, not to exceed $2,500 for printing and binding, and other necessary expenses, $29,000, of which not to exceed $12,500 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $6,500 per annum.

Salary limitation

Funds continued available

55 Stat. 826.

The appropriation "Suppressing contagious diseases of livestock on Indian reservations" contained in the Third Supplemental National Defense Appropriation Act, 1942, is hereby continued available until June 30, 1945, for the same purposes, and for suppressing contagious diseases among livestock of Indians under the jurisdiction of the Pima Agency, Arizona.

DEVELOPMENT OF WATER SUPPLY

For the development, rehabilitation, repair, maintenance, and operation of domestic and stock water facilities on the Navajo Reservation in Arizona, New Mexico, and Utah, the Hopi Reservation in Arizona, the Papago Reservation in Arizona, and the several Pueblos in New Mexico, including the purchase and installation of pumping and other equipment, $100,000.

IRRIGATION AND DRAINAGE

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, $302,130, reimbursable, together with $44,500 operation and maintenance collections, from which latter amount expenditures for any one project shall not exceed the aggregate receipts from such project covered into the Treasury pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934:

48 Stat. 1227.
31 U. S. C. § 725c.

Miscellaneous projects, $42,730; Arizona: Ak Chin, $4,425; Chiu Chui, $4,520; Fort Apache, $5,425; San Carlos, $5,845; Navajo, miscellaneous projects, Arizona and New Mexico, $45,150, together with $21,500 (Fruitlands, $9,000; Ganado, $1,500; Hogback, $7,000; miscellaneous projects, $4,000), collections; Hopi, miscellaneous projects, $1,760; San Xavier, $2,435; Truxton Canon, $1,165; California: Mission, $8,325, together with $3,000 (Morongo, $1,000; Pala and Rincon, $1,000; miscellaneous projects, $1,000), collections; Colorado: Southern Ute, $10,545, together with $8,000, collections; Montana: Tongue River, $2,565, together with $1,000, collections; Nevada: Pyramid Lake, $3,725, together with $500, collections; Walker River, $5,490, together with $1,500, collections; Western Shoshone, $9,500, together with $2,000, collections; White Narrows, $25,000; New Mexico: Miscellaneous Pueblos, $28,180; Mescalero, $3,025; Oregon: Warm Springs, $3,925; Washington: Colville, $8,115, together with $5,000, collections; Lummi diking project, $620, together with $2,000, collections; and for necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $79,960: *Provided*, That the foregoing amounts shall be available interchangeably in the discretion of the Secretary, for necessary expenditures for damages by floods and other unforeseen exigencies, but the amounts so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement

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Interchange of amounts

Apportionment of costs

thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

San Carlos project, Ariz.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $132,953 (operation and maintenance collections), and $212,827 (power revenues), of which latter sum not to exceed $20,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts, of $132,953 and $212,827, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $345,780.

48 Stat. 1227.
31 U. S. C. § 725c.

Pima Indians, Ariz. Subjugation and cropping operations.

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed $100,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Colorado River Indian Reservation, Ariz.

For improvement, operation, and maintenance of the irrigation and power systems on the Colorado River Indian Reservation, Arizona, $10,500, reimbursable, together with $39,900 (operation and maintenance collections) and $39,200 (power revenues), from which amounts of $39,900 and $39,200, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $89,600.

48 Stat. 1227.
31 U. S. C. § 725c.

Yuma Reservation, Calif.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $11,500, reimbursable.

Fort Hall irrigation systems, Idaho.

For improvements, maintenance, and operation of the Fort Hall irrigation systems, Idaho, $28,900, together with $27,100, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Fort Belknap Reservation, Mont.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, ⊥$13,280, reimbursable, together with $4,900, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

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48 Stat. 1227.
31 U. S. C. § 725c.

Fort Peck project, Mont.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, $8,640, reimbursable, together with $6,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Blackfeet Indian Reservation, Mont.

For the improvement, maintenance, and operation of the irrigation systems on the Blackfeet Indian Reservation in Montana, $12,955, reimbursable, together with $16,700, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Flathead Reservation, Mont.

For operation and maintenance of the irrigation and power systems on the Flathead Reservation, Montana, $5,500, reimbursable, together with $144,175 (operation and maintenance collections) and $129,175 (power revenues), from which amounts of $144,175 and $129,175,

48 Stat. 1227.
31 U. S. C. § 725c.

respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $278,850.

Crow Reservation, Mont.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $5,000, reimbursable, together with $48,900, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Tongue River Water Users' Association, etc., Mont.

For payment to the Tongue River Water Users' Association, Montana, or the State Water Conservation Board of Montana, in accordance with the provisions of the Act approved August 11, 1939 (53 Stat. 1411), $9,750, reimbursable as provided in said Act.

Paiute Indian lands within Newlands project, Nev.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $2,881; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, $5,565, to be immediately available; in all, $8,446.

Drains to Truckee-Carson district.

Middle Rio Grande Conservancy District, N. Mex.

For operation and maintenance assessments on Indian lands, and the buildings and grounds of the Albuquerque Indian School, within the Middle Rio Grande Conservancy District, New Mexico, $5,086, of which amount $3,948 shall be reimbursed in accordance with existing law.

Klamath Reservation, Oreg.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, Oregon, $2,800, reimbursable, together with $4,890, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek and Modoc Point units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Uncompahgre, etc., Utes, Utah.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat. 375), $23,500, reimbursable, together with ⊥$42,250, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

⊥476

48 Stat. 1227.
31 U. S. C. § 725c.
Uintah project, Utah.
25 U. S. C., Supp. III, § 389 note.

For payment of operation and maintenance assessments on certain lands within the Uintah Indian irrigation project as authorized by section 4 (a) of the Act of May 28, 1941 (55 Stat. 209), $1,000.

Yakima Reservation, Wash.
Wapato system.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $215,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Reimbursement to reclamation fund.

For reimbursement to the reclamation fund for stored water to irrigate Indian lands on the Yakima Indian Reservation, Washington, pursuant to the Act of July 1, 1940 (54 Stat. 707), $20,000.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat. 604), $11,000.

Wind River Reservation, Wyo.

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyo-

ming, including the Indians' pro rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district and the Big Bend drainage district on the ceded reservation, $23,300, reimbursable, together with $33,500, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Protection of project works (national defense): For all expenses necessary to provide protection against sabotage and other subversive depredations, of dams, powerhouses, or other structures of the irrigation systems of the Indian Service, including employment of civilian guards, $35,000.

Protection against sabotage.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Construction, repair, etc., of designated projects.

Arizona: Navajo, Arizona and New Mexico, $25,000; Salt River, $30,000;

California: Sacramento, $10,000;

Idaho: Fort Hall, $50,000;

Montana: Fort Belknap, $6,250;

Nevada: Carson, $15,000; Western Shoshone, $20,000; Pyramid Lake, $50,000;

Miscellaneous garden tracts, $50,000;

For surveys, investigations, and administrative expenses, including departmental personal services, and not to exceed $2,500 for printing and binding, $100,000;

Surveys, investigations, etc.

In all, $356,250, to be reimbursable in accordance with law, and to remain available until completion of the projects: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Secretary, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 per centum.

Interchange of appropriations.

EDUCATION

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For the support of Indian schools not otherwise provided for, and for other Indian educational purposes, including apprentice teachers for reservation and nonreservation schools, educational facilities authorized by treaty provisions, care of Indian children of school age attending public and private schools, support and education of deaf, dumb, blind, physically handicapped, delinquent, or mentally deficient Indian children; for subsistence of pupils in boarding schools during summer months, for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such regulations as the Secretary may prescribe; not exceeding $21,650 for construction and equipment of a dormitory building at the Denehotso Day School on the Navajo Indian Reservation; and tuition and other assistance for Indian pupils attending public schools, and for the support of Indian museums at Rapid City, South Dakota, and Browning, Montana, and on the Fort Apache Reservation, Arizona, $6,066,940: *Provided*, That formal contracts shall not be required for payment (which may be made from the date of admission) of such tuition and care of Indian pupils: *Provided further*, That not to exceed $10,000 of this appropriation may be used for printing and binding (including illustrations) in authorized Indian-school printing plants: *Provided further*, That no part of any appropriation in this Act for the Bureau of Indian Affairs shall be available for expenses of travel for

Support of Indian schools.

Formal contracts not required.

Printing and binding.

Travel expenses, restriction.

the study of educational systems or practices outside the continental limits of the United States and the Territory of Alaska.

Expenditures from tribal funds

Support of Indian schools from tribal funds: For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf and dumb or blind, physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than $377,810: *Provided*, That formal contracts shall not be required for payment (which may be made from the date of admission) of such tuition and care of Indian pupils.

44 Stat. 560

Formal contracts not required

St. Louis Mission Boarding School, Okla.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $1,500, payable from funds held in trust by the United States for the Osage Tribe.

Loans for payment of tuition

For loans to Indians for the payment of tuition and other expenses in recognized high schools and vocational and trade schools, and colleges and universities offering recognized vocational, trade, liberal arts, and professional courses, and for apprentice training in Federal, manufacturing, and other establishments, $25,000: *Provided*, That advances made under this authorization shall be reimbursed in not to exceed eight years, under such regulations as the Secretary may prescribe.

Reimbursement

Buildings at Indian schools

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the installation, repair, and improvement of heating, lighting, power, sewer, and water systems in connection therewith, and including the purchase of materials for the use of Indian pupils in the construction of buildings (not to exceed $1,500 for any one building) at Indian schools not otherwise provided for, $320,000.

Nonreservation boarding schools

Support, etc., of Indian pupils.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts respectively:

1478 Phoenix, Ariz.

⊥Phoenix, Arizona: For four hundred and twenty-five pupils, including not to exceed $2,500 for printing and issuing school paper, $163,475; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,000; in all, $188,475;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For four hundred pupils, including not to exceed $2,000 for printing and issuing school paper, $169,705; for pay of superintendent, drayage, and general repairs and improvements, $23,700; in all, $193,405;

Haskell Institute, Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For five hundred and fifty pupils, including not to exceed $2,500 for printing and issuing school paper, $225,120; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $25,200; in all, $250,320;

Pipestone, Minn.

Pipestone, Minnesota: For three hundred and twenty-five pupils, $123,475; for pay of superintendent, drayage, and general repairs and improvements, $15,200; in all, $138,675;

Carson City, Nev.

Carson City, Nevada: For five hundred pupils, $188,370; for pay of principal, drayage, and general repairs and improvements, $20,000; in all, $208,370;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For three hundred and seventy-five pupils, $157,340; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,200; in all, $182,540;

Santa Fe, N. Mex.

Santa Fe, New Mexico: For three hundred pupils, $126,555; for drayage, and general repairs and improvements, $15,000; in all, $141,555;

Wahpeton, North Dakota: For three hundred pupils, $110,335; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $123,335; Wahpeton, N. Dak.

Chilocco, Oklahoma: For five hundred and twenty-five pupils, including not to exceed $2,000 for printing and issuing school paper, $215,345; for pay of superintendent, drayage, and general repairs and improvements, $25,200; in all, $240,545; Chilocco, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and twenty-five orphan Indian children of the State of Oklahoma belonging to the restricted class, $125,735; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $140,735; Sequoyah Orphan Training School, Tahlequah, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $66,935; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $73,935; Carter Seminary, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $47,765; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $54,765; Euchee, Okla.

Eufaula, Oklahoma: For one hundred and forty pupils, $56,090; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $63,090; Eufaula, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $71,050; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $78,050; Jones Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $56,110; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $63,110; Wheelock Academy, Okla.

Chemawa, Oregon: For three hundred and seventy-five pupils, including not to exceed $1,000 for printing and issuing school paper, $159,475; for pay of superintendent, drayage, and general repairs and improvements, $20,200; in all, $179,675; Chemawa, Oreg.

Flandreau, South Dakota: For three hundred and seventy-five pupils, $162,730; for pay of superintendent, drayage, and general repairs and improvements, $19,000; in all, $181,730; Flandreau, S. Dak.

⊥Pierre, South Dakota: For three hundred pupils, $110,110; for pay of superintendent, drayage, and general repairs and improvements, $15,200; in all, $125,310; ⊥479 Pierre, S. Dak.

In all, for above-named nonreservation boarding schools, not to exceed $2,627,620: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget. Interchange of amounts. Report to Congress.

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools and for the repair of special Indian day schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $375,000, to be expended in the discretion of the Secretary and under regulations to be prescribed by him: *Provided*, That not to exceed $26,000 may be expended for the payment of salaries of public-school teachers, employed by the State, county, or district in special Indian day schools in full-blooded Indian communities, where there are not adequate white day schools available for their attendance. Tuition for Indian children at public schools, etc. Salaries of certain public-school teachers.

Natives in Alaska: To enable the Secretary, in his discretion, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; repair and rental of school buildings; textbooks and industrial apparatus; pay and traveling expenses of employees; repair, equip- Natives in Alaska. Support, relief, etc.

ment, maintenance, and operation of vessels; and all other necessary expenses which are not included under the above special heads, $1,444,250, to be immediately available and to remain available until June 30, 1946: *Provided*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution.

Report to Congress.

CONSERVATION OF HEALTH

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanitoria; returning to their former homes and interring the remains of deceased patients; for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $5,734,135: *Provided*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation: *Provided further*, That in the discretion of the Secretary and under such regulations as may be prescribed by him, fees may be collected from Indians for medical, hospital, and dental service and any fees so collected shall be covered into the Treasury of the United States.

Clinical surveys and general medical research

Contributions from nonreservation boarding schools

Collection of fees.

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⊥Medical relief in Alaska: To enable the Secretary in his discretion through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and traveling expenses of employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $691,700, to be available immediately and to remain available until June 30, 1946.

Medical relief in Alaska
Post, p. 607

GENERAL SUPPORT AND ADMINISTRATION

For general administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $3,202,700: *Provided*, That in the discretion of the Secretary, and under such regulations as may be prescribed by him, fees may be collected from individual Indians for services performed for them, and any fees so collected shall be covered into the Treasury of the United States.

Collection of fees.

For general support and rehabilitation of needy Indians in the United States, $500,000, of which amount not to exceed $35,000 shall be available for administrative expenses incident thereto, including departmental personal services (not to exceed $24,000), not to exceed $100,000 shall be available for the rehabilitation of needy Indians, and not to exceed $1,000 shall be available for expenses of Indians participating in folk festivals.

Support, etc., of needy Indians

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, $85,650, to be immediately available, and to remain available until June 30, 1946.

Reindeer service

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona: Colorado River, $1,970; Fort Apache, $45,000; Navajo, $4,900, including all necessary expenses of holding a tribal fair, erection of structures, awards for exhibits and events, feeding of livestock, and labor and materials; Pima (Camp McDowell), $450; San Carlos, $9,360; Truxton Canon, $14,600; in all, $76,280;

California: Mission, $26,000;

Colorado: Southern Ute, $2,000; Ute Mountain, $10,500; in all, $12,500;

Iowa: Sac and Fox, $630;

Minnesota: Consolidated Chippewa, $1,600 for salary and incidental expenses of the secretary of the tribal executive committee;

Montana: Flathead, $35,000;

Nevada: Western Shoshone, $1,500;

New Mexico: United Pueblos, $5,000;

North Carolina: Cherokee, $8,500, including not to exceed a $500 gift to the American Red Cross;

Oregon: Klamath, $223,670, of which not to exceed $1,200 shall be available until expended in units of $300 for standing rewards for information leading to the apprehension and conviction for the theft or killing of any Indian cattle (tribal or individual) on the Klamath Reservation, of any person or persons under rules and regulations adopted by the Klamath Cattle Committee and approved by the Com- ⊥ missioner of Indian Affairs, and, of which not to exceed $4,500 ⊥ 481
shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary, and to include the purchase of cattle; Umatilla, $1,000; in all, $224,670;

Utah: Uintah and Ouray, $11,500, of which not to exceed $4,500 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary;

Washington: Colville, $8,800; Spokane, $8,000; Taholah (Makah), $6,600, including the purchase of land, title to which shall be taken in the name of the United States in trust for the Makah Indians; Yakima, $8,470 (Yakima, $7,470; Lummi, $1,000, including the purchase of land, title to which shall be taken in the name of the United States in trust for the Lummi Indians); Tulalip, $3,000 (Tulalip, $2,000, including the purchase of land, title to which shall be taken in the name of the United States in trust for the Tulalip Indians; Puyallup, $1,000 for upkeep of the Puyallup Indian cemetery); in all, $34,870;

Wisconsin: Menominee, $118,400, including $40,000, of which not exceeding $10,000 shall be available for general relief purposes and not exceeding $30,000 for monthly allowances to old and indigent members of the Menominee Tribe and $5,200 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary: *Provided*, That not to exceed $6,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee advisory council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs: *Provided further*, That not to exceed $10,000 shall be immediately available for an audit of the books, accounts, and operations of the Menominee Indian Mills by a certified public accountant or firm of accountants under a contract to be entered by said accountant or firm

Salaries, etc., of Menominee tribal officers

Audit of accounts.

of accountants with the Menominee Tribe acting by its advisory council and approved by the Secretary of the Interior;

In all, not to exceed $556,450.

Chippewa Indians, Minn.

Relief of Chippewa Indians in Minnesota (tribal funds): Not to exceed $43,375 of the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat. 645), may be expended, in the discretion of the Secretary, in aiding indigent Chippewa Indians including boarding-home care of pupils attending public, private, or high schools.

Relief of needy Indians.

Relief of needy Indians: For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $100,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, Revised Statutes, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

41 U. S. C. § 5.
18 U. S. C. §§ 744a, 744b.

Choctaw-Chickasaw lands, sale of timber.

Expenses incidental to the sale of timber on Choctaw-Chickasaw tribal lands: Not to exceed $2,000 of the funds held by the United States in trust for the Choctaw and Chickasaw Tribes, together with ⊥the unexpended balance of the 1944 appropriation under this head, may be expended for expenses incidental to the sale of timber on Choctaw-Chickasaw tribal lands: *Provided*, That all payments from this appropriation shall be made in the same proportion as the interest of said tribes in such timber.

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Five Civilized Tribes, Okla.
Expenses of tribal officers.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, not to exceed $10,000 for repairs to the Choctaw Chapter House, and for salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries of $3,000 each for the said governor, said chief, and said mining trustee, chief of the Creek Nation at $1,200 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Salary limitation.

Osage Agency, Okla.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of the superintendent of the agency and of necessary employees, and pay of tribal officers, including the employment of a tribal attorney at the rate of $4,500 per annum to be appointed with the approval of the Osage Tribal Council; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and repair and operation of automobiles, $200,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That of the said sum herein appropriated $7,500 is hereby made available for traveling and other expenses of members of the Osage Tribal Council, business committees, or other tribal organizations, when engaged on business of the tribe, including supplies and equipment, not to exceed $6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Traveling, etc., expenses.

Shoshone and Arapaho Tribes, Wyo.

Expenses of tribal officers and other purposes, Shoshone and Arapaho Tribes, Wyoming (tribal funds): For the current fiscal year the Secretary of the Interior, or such official as may be designated by him, is hereby authorized to pay out of any joint tribal funds of the Shoshone and Arapaho Indians of the Wind River Reservation, Wyoming, in the Treasury of the United States the following salaries and expenses:

To the chairman, secretary, and interpreter of the Shoshone and Arapaho Joint General Council and members of the Shoshone and Arapaho Joint Business Committee, or other committees appointed by the Joint General Council, when engaged on joint business of the tribes, a sum of not to exceed $8 per diem for attendance to cover salary and all expenses; to such official delegates of the Shoshone and Arapaho Tribes who may carry on the joint business of the tribes in Washington or Chicago a per diem of not to exceed $10 in lieu of salary and expenses: *Provided*, That the rate of per diem shall be fixed in advance by the Joint General Council or by the Joint Business Committee if authorized by said Joint General Council: *Provided further*, That the official delegates of said tribes carrying on business in Washington or Chicago shall also receive the usual railroad and sleeping-car ⊥transportation to and from Washington or Chicago: *And provided further*, That the length of stay of the official delegates in Washington or Chicago shall be determined by the Commissioner of Indian Affairs. The Secretary or his designate is also authorized and directed to expend from said joint tribal funds of the Shoshone and Arapaho Indians with the consent of the Joint Business Committee, not exceeding $1,500 per annum for pay of game and fish wardens to be appointed by the Joint Business Committee, for patrolling the lakes, streams, and hunting areas of the Wind River Reservation: *Provided*, That receipts derived from fishing and hunting licenses and permits and from fines shall be deposited into the Treasury of the United States to the credit of the tribes pursuant to the provisions of the Act of May 17, 1926 (44 Stat. 560): *Provided further*, That all the aforesaid pay and expenses for all purposes shall not exceed in the aggregate $7,500 per annum.

⊥ 183

25 U.S.C. § 155

Tribal councils, etc., Expenses.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $25,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in the District of Columbia or Chicago, Illinois, for more than an eight-day period, unless the Secretary shall in writing approve a longer period.

Choctaw-Chickasaw Nations.
Fulfillment of Atoka Agreement.
30 Stat. 495.

Fulfillment of Atoka Agreement with Choctaw-Chickasaw Nations of Indians: That pursuant to the provisions of the treaty between the United States and the Choctaw-Chickasaw Nations of Indians, known as the Atoka Agreement, and the supplemental agreements thereafter made and the laws enacted by the Congress, the Secretary of the Interior is hereby authorized and directed to enter into a contract on behalf of the United States for the purchase from the Choctaw and Chickasaw Nations of Indians in Oklahoma for all the present right, title, and interest of said Indians in the land and mineral deposits reserved from allotment in accordance with the provisions of section 58 of the Act entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw Tribes of Indians, and for other

32 Stat. 654.

purposes", approved July 1, 1902. The Secretary shall cause such contract to be executed on behalf of said Indians by the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation, and shall then submit such contract to said Indians for their approval. If and when such contract has been approved by said Indians, the Secretary shall submit the contract to the Congress for its ratification:

Approval by Indians

Provided, That the approval of such contract by the said Indians shall be through a special election called and held pursuant to rules and regulations to be promulgated by the said Secretary of the Interior: *And provided further*, That before the said rules and regulations are promulgated they must be submitted to and approved by both the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation. Such contract shall not be binding upon any of the parties thereto until it shall have been ratified by the Congress.

Ratification by Congress

Upon the approval of such contract by the Congress—

Credit of purchase price.

(a) The amount of the purchase price fixed in such contract when appropriated shall be placed to the credit of the Choctaw and Chickasaw Nations of Indians on the books of the Treasury of the United States, and thereafter such proceeds shall be distributed to such Indians in pursuance with the terms and provisions of such contract and shall be exempted from attorney fees and other debt contracted prior to the passage and approval of this Act; and

Conveyance.

(b) The Secretary shall cause a proper conveyance to be executed by the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation conveying all right, title, and interest of said Indians in such lands and mineral deposits to the United States, and thereupon, all such right, title, and interest shall vest in the United States.

Appropriations authorized

The appropriation of such sum as may be necessary for making the payments to such Indians pursuant to section 2 (a) of this Act is hereby authorized. There is also authorized to be appropriated the sum of $20,000 to be expended under the direction of the Secretary of the Interior, to defray the expenses of negotiating the contract and holding of the election authorized by section 1 hereof, including the making of such appraisal or appraisals as may be deemed necessary.

Land and mineral deposits

The land and mineral deposits when acquired hereunder shall become part of the public domain subject to the applicable public land mining and mineral leasing laws. The coal deposits acquired hereunder may be leased in accordance with the provisions relating to coal of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended. The asphalt deposits acquired hereunder may be leased by the Secretary of the Interior through advertisement, competitive bidding, or such other methods as he may by general regulations prescribe, and in areas not exceeding six hundred and forty acres each. Leases for such asphalt deposits shall be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, not less than 25 cents per ton of two thousand pounds of marketable production, and upon payment in advance of a rental of 25 cents per acre for the first calendar year or fraction thereof; 50 cents per acre for the second, third, fourth, and fifth years, respectively; and $1 per acre per annum thereafter during the continuance of the lease, such rental for any lease year to be credited against royalties accruing for that year. Leases for such asphalt deposits shall be for a period of twenty years, with preferential right in the lessee to renew the same for successive periods of ten years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the expiration of such periods. All asphalt leases issued hereunder shall be subject to such further terms and conditions, not inconsistent herewith, as may be incorporated in each lease or prescribed by general regulations adopted by the Secretary of the Interior prior to the issuance of the lease, including

30 U. S. C. §§ 22, 48, 181 *et seq.*, Supp. III, § 188a.
Ante, p. 275.
Asphalt deposits

Leases

covenants relative to mining methods, waste, period of preliminary development, initial investment, and minimum production. The Secretary of the Interior is authorized to modify or amend as to area any asphalt lease issued hereunder upon application of the lessee if he finds such modification or amendment to be to the best interests of the United States and of the lessee. The general provisions of sections 1, 27, 29 to 34, inclusive, 37, and 38 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended, shall apply to asphalt leases issued under the provisions of this Act, sections 1, 34, and 37 thereof being amended to include deposits of asphalt acquired hereunder, and section 27 hereof being amended to provide that no person, association, or corporation shall take or hold more than two thousand five hundred and sixty acres under asphalt lease at any one time. The entire ⊥net income from coal and asphalt leases issued under this Act shall be deposited in the general fund of the Treasury of the United States.

30 U. S. C. §§ 22, 48, 181, 182, 184, 186, 190, 193, 194, Supp. III, § 188a.

30 U. S. C. §§ 22, 48, 181, 182, 193.

30 U. S. C. § 184, Supp. III, § 188a.

1485.

ROADS AND BRIDGES

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, and that portion of the State highway in New Mexico between Gallup, New Mexico, and Window Rock, Arizona, serving the Navajo Reservation, $20,000, reimbursable, as authorized by the Act of May 28, 1941.

Gallup-Shiprock Highway, N. Mex.

55 Stat. 207.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Act of May 26, 1928 (25 U. S. C. 318a), as supplemented and amended, $950,000, to remain available until expended: *Provided*, That not to exceed $15,000 of the foregoing amount may be expended for departmental personal services: *Provided further*, That not to exceed $15,000 of this appropriation shall be available for repair of structures for housing road materials, supplies, equipment, and quarters for road crews.

Reservation roads.

45 Stat. 750.

ANNUITIES AND PER CAPITA PAYMENTS

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Senecas, N. Y.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Six Nations, N. Y.

7 Stat. 46.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Choctaws, Okla.

7 Stat. 99.

11 Stat. 644.

7 Stat. 213.

7 Stat. 212, 236.

7 Stat. 235.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Pawnees, Okla.

11 Stat. 729, 27 Stat. 644.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $150,000.

Indians of Sioux reservations.

For payment of accrued and accruing interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $725,000.

Interest on trust funds, payments.

Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including nonreser-

Availability of funds for purchase of supplies, etc.

vation boarding schools and for conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Indian Service.

Travel expenses, etc.

Appropriations made for the Indian Service for the fiscal year 1945 shall be available for travel expenses; the purchase of ice, and the purchase of rubber boots for official use of employees.

1486

⊥BUREAU OF RECLAMATION

* * *

1491

⊥WATER CONSERVATION AND UTILIZATION PROJECTS

* * *

Enemy aliens, etc. Utilization of labor and services.

Services or labor of prisoners of war, enemy aliens, and American-born Japanese who are in the control of the Federal Government may be utilized in connection with the construction, operation, and maintenance of Federal reclamation projects, water conservation and utilization projects, Indian irrigation projects, and related work, subject to the approval of, and regulations by, the War Department or other Federal agency having control of such persons.

GEOLOGICAL SURVEY

* * *

1492 Mineral leasing. 38 Stat. 742, 40 Stat. 297, 41 Stat. 437, 1366.

⊥Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 (48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves, and for necessary related operations; and for every expense incident thereto, including supplies, equipment, expenses of travel, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $557,000, of which not to exceed $80,000 may be expended for personal services in the District of Columbia;

* * *

1500

⊥NATIONAL PARK SERVICE

* * *

Post, p. 865.

National parks: For administration, protection, maintenance, and improvement of national parks, including maintenance and operation of passenger-carrying automobiles;

* * *

. . . necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of Glacier National Park, Montana, and the international boundary;

* * *

Custer Battlefield National Cemetery, roads. 1501

Statue of Liberty National Monument, easements.

National military parks, battlefields, monuments, and cemeteries: For administration, protection, maintenance, and improvement, including maintenance, operation, and repair of motor-driven passenger-carrying vehicles, and including the maintenance and repair of the approach road to the Custer Battlefield National Cemetery and the ⊥road connecting the said cemetery with the Reno Monument site, Montana, and not exceeding $808 for right-of-way easements across privately owned railroad lands necessary for supplying water to the Statue of Liberty National Monument, $441,000.

* * *

⊥FISH AND WILDLIFE SERVICE

⊥502
Post, p. 896.

For salaries and expenses, including the purchase of printed bags, tags, and labels, without regard to existing laws applicable to public printing, and traveling expenses, necessary in conducting investigations and carrying out the work of the Service, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

SALARIES AND EXPENSES

* * *

Operation and maintenance of fish screens: For operation and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission, $11,350.

* * *

⊥SEC. 5. Appropriations herein made for the following bureaus and offices shall be available for expenses of attendance of officers and employees at meetings or conventions of members of societies or associations concerned with their work in not to exceed the amounts indicated: Office of the Secretary, $500; Grazing Service, $400; Petroleum Conservation Division, $150; General Land Office, $400; Bureau of Indian Affairs, $3,000; Bureau of Reclamation, $2,500; Geological Survey, $1,500; Bureau of Mines, $5,000; National Park Service, $1,500; Fish and Wildlife Service, $2,250; and Soil and Moisture Conservation Operations (all bureaus), $1,500.

⊥507
Attendance at meetings, etc.

* * *

Approved, June 28, 1944.

[CHAPTER 304]

AN ACT

June 28, 1944
[H. R. 5040]
[Public Law 375]
58 Stat. 597

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1944, and June 30, 1945, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1944, and June 30, 1945, and for other purposes:

Second Deficiency Appropriation Act, 1944.

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥DEPARTMENT OF THE INTERIOR

⊥606

* * *

⊥BUREAU OF INDIAN AFFAIRS

⊥607

For an additional amount for maintenance, irrigation system, Uintah Reservation, Utah (receipt limitation), fiscal year 1943, $1,202.18, from which sum expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934 (34 Stat. 375).

Uintah Reservation, Utah.

48 Stat. 1227.
31 U. S. C. § 725c

For an additional amount for medical relief in Alaska, fiscal year 1945, including the objects specified under this head in the Interior

Ante, p. 480
Skagway, Alaska, hospital
Transfer of jurisdiction

Department Appropriation Act, 1945, $200,000; and the Secretary of War is hereby authorized to transfer to the Secretary of the Interior for the use of the Bureau of Indian Affairs, without compensation therefor, the hospital building and land valued at approximately $1,100,000, and the military stores, supplies, and equipment of every character in said hospital, valued at approximately $70,000, located at Skagway, Alaska, and the War Department shall inventory the property so transferred and furnish the Bureau of the Budget with a statement in detail of the amount and value of such property.

* * *

1614 ⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

1616 ⊥AUDITED CLAIMS

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1944 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 610, Seventy-eighth Congress, there is appropriated as follows:

18 Stat. 110.

23 Stat. 254

* * *

1618 **⊥Department of the Interior:**

* * *

For support of Indians and administration of Indian property, $406.

For purchase and transportation of Indian supplies, $455.89.

For conservation of health among Indians, $32.55.

For Indian school support, $134.46.

For Civilian Conservation Corps (transfer to Interior, Indians), $246.74.

For industry among Indians, $24.13.

For education of natives of Alaska, $52.37.

* * *

1620 ⊥(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the Surplus Fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1941 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 209, Seventy-eighth Congress, there is appropriated as follows:

18 Stat. 110.

23 Stat. 254.

* * *

1621 **⊥Department of the Interior:**

* * *

For irrigation, Indian reservations (reimbursable), $39.03.

For conservation of health among Indians, $14.09.

For Indian school support, $155.03.

For Civilian Conservation Corps (transfer to Interior, Indians), $22.69.

* * *

Approved, June 28, 1944.

[CHAPTER 373]

AN ACT

July 1, 1944
[H. R. 4624]
[Public Law 410]
58 Stat. 682

To consolidate and revise the laws relating to the Public Health Service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SHORT TITLE AND DEFINITIONS

SHORT TITLE

Public Health Service Act

SECTION 1. Titles I to V, inclusive, of the Act may be cited as the "Public Health Service Act".

* * *

⊥TITLE VI—TEMPORARY AND EMERGENCY PROVISIONS AND AMENDMENTS AND REPEALS ⊥711

* * *

⊥EMPLOYEES' COMPENSATION ⊥712

SEC. 605. (a) Section 7 of the Act of September 7, 1916, entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", as amended (U. S. C., 1940 edition, title 5, sec. 757), is amended by changing the period at the end thereof to a colon and adding the following: "*Provided*, That whenever any person is entitled to receive any benefits under this Act by reason of his injury, or by reason of the death of an employee, as defined in section 40, and is also entitled to receive from the United States any payments or benefits (other than the proceeds of any insurance policy), by reason of such injury or death under any other Act of Congress, because of service by him (or in the case of death, by the deceased) as an employee, as so defined, such person shall elect which benefits he shall receive. Such election shall be made within one year after the injury or death, or such further time as the Commission may for good cause allow, and when made shall be irrevocable unless otherwise provided by law."

39 Stat. 743.

Election of benefits.

Infra.

(b) The definition of the term "employee" in section 40 of such Act of September 7, 1916, as amended (U. S. C., 1940 edition, title 5, sec. 790), is amended to read as follows:

39 Stat. 750.

"The term 'employee' includes all civil employees of the United States and of the Panama Railroad Company, commissioned officers of the Regular Corps of the Public Health Service, officers in the Reserve of the Public Health Service on active duty, and all persons, other than independent contractors and their employees, employed on ⊥the Menominee Indian Reservation in the State of Wisconsin, subsequent to September 7, 1916, in operations conducted pursuant to the Act entitled 'An Act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin, approved March 28, 1908, as amended, or any other Act relating to tribal timber and logging operations on the Menominee Reservation."

"Employee."

⊥713
Menominee Indian Reservation, Wis.

35 Stat. 51.

* * *

Approved, July 1, 1944.

[CHAPTER 416]

AN ACT

September 27, 1944
[H. R. 2697]
[Public Law 429]
58 Stat. 745

To provide for the disposal of materials or resources on the public lands of the United States which are under the exclusive jurisdiction of the Secretary of the Interior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of

Public lands.

Disposal of certain materials

the Interior, under such rules as he may prescribe, may dispose of sand, stone, gravel, vegetation, and timber or other forest products, on public lands of the United States which are under his exclusive jurisdiction, if the disposal of such materials is not otherwise expressly authorized by law and if such disposal would not be detrimental to the public interest. Such materials may be disposed of only upon the payment of adequate compensation therefor, to be determined by the Secretary, and only after public notice of the disposal has been given prior thereto in such manner as may be prescribed by the Secretary. Nothing in this section shall be construed to apply to any national park or national monument or to any Indian lands or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by executive order for the use of Indians.

Compensation and notice

Lands excluded

Disposal of moneys received

SEC. 2. All moneys received from the disposal of materials under this Act shall be disposed of in the same manner as moneys received from the sale of public lands.

Publication of notice

SEC. 3. Before disposing of any such materials referred to in section 1, the Secretary shall first give public notice, published in a newspaper published in the county where such materials are located ⊥and if no newspaper is published in such county, then in the county nearest thereto, for at least thirty days, of his intention to dispose of such materials. No such materials in excess of $10,000 shall be disposed of unless authorized by laws of the United States. The powers granted in this Act shall cease to exist at the cessation of hostilities in the present war as determined by the President by proclamation or the Congress by concurrent resolution and the provisions of this Act shall not apply where disposal of such materials have been expressly prohibited by laws of the United States.

⊥746

Materials in excess of $10,000 Limitation of powers

Approved, September 27, 1944.

[CHAPTER 481]

AN ACT

To provide for the payment of attorneys' fees from Osage tribal funds.

October 3, 1944
[S. 1847]
[Public Law 459]
58 Stat. 792

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That pursuant to the terms of a contract approved by the Assistant Secretary of the ⊥Interior February 14, 1938, between Fred Lookout, principal chief of the Osage Tribe of Indians, and certain attorneys named therein, employed pursuant to Osage council resolution numbered 82, dated December 6, 1937, and extended for a period of three years from February 14, 1941, there is authorized to be expended from any funds collected as a result of any suit brought under said contract such sum as may be necessary to pay the fees of the attorneys so employed, as provided by the terms of the contract.

Osage Indians Payment of attorneys' fees

⊥793

Approved, October 3, 1944.

[CHAPTER 553]

AN ACT

Relating to marriage and divorce among members of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians.

December 13, 1944
[S. 267]
[Public Law 477]
58 Stat. 800

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after six months after approval of this Act no marriage thereafter entered into, to which a member of the Klamath or Modoc or Yahooskin Band of Snake Indians of the Klamath Indian Reservation in Oregon is a party, shall be valid for any purpose unless such marriage shall have been solemnized pursuant to the laws of the State in which the ceremony is performed.

Marriage and divorce among certain Indian tribes.

SEC. 2. Bona fide Indian custom marriages with members of said tribes mentioned in section 1 existing prior to the effective date of section 1 of this Act are valid, and recordation of such marriage with the superintendent of the Klamath Indian Agency, if both parties are then living, in a book kept by him for that purpose shall be prima facie evidence of such marriage. The nonrecordation of such a marriage shall be prima facie evidence of the nonexistence of such marriage.

Existing bona fide Indian custom marriages.

SEC. 3. From and after the date of the approval of this Act, divorces in which a member of the said tribes or band of Indians is a party shall be effected only by decree of a State court of competent jurisdiction.

Divorces by State court decree only.

SEC. 4. No person shall be entitled to inherit as the surviving spouse of a deceased member of the Klamath or Modoc Tribes or Yahooskin Band of Snake Indians by virtue of a marriage entered into subsequent to the effective date of section 1 of this Act unless his or her marriage to the decedent has been solemnized in conformity with the provisions of this Act: *Provided*, That nothing herein contained shall be construed to authorize the devolution of restricted property within the Klamath Reservation to any person not qualified under the provisions of section 5 of the Act of June 1, 1938 (52 Stat. 605).

Inheritance restriction.

Devolution of restricted property.

25 U. S. C. § 555.

Approved, December 13, 1944.

[CHAPTER 579]

AN ACT

December 13, 1944
[S. 1710]
[Public Law 481]
58 Stat. 802

To authorize the sale and conveyance of certain property of the estate of Jackson Barnett, deceased Creek Indian.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to sell and convey any or all of the property hereinafter described, upon such terms and conditions as he shall prescribe: Lot 2 of tract numbered 8553, as shown on map recorded in book 105, pages 22 and 23 of maps, and the southerly forty feet of lot 20 and all of lot 21 of tract numbered 3446, as shown on map recorded in book 37, page 84 of maps, in the office of the county recorder of Los Angeles County, California, together with all improvements thereon, and all furniture, fixtures, and personal property, belonging to the estate of Jackson Barnett, located in or on said real property.

Jackson Barnett, estate.
Sale and conveyance of certain property.

Approved, December 13, 1944.

[CHAPTER 601]

AN ACT

December 16, 1944
[S. 1580]
[Public Law 496]
58 Stat. 813

To authorize the Secretary of the Interior to dispose of certain lands heretofore acquired for the nonreservation Indian boarding school known as Sherman Institute, California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized in his discretion and subject to such terms and conditions as he may prescribe, to sell or exchange all or any part of those two certain tracts of land containing ten acres and one hundred acres more or less, respectively, heretofore acquired by the United States for the use of the nonreservation Indian boarding school known as Sherman Institute, Riverside, California, by deed dated August 30, 1900, from Frank A. Miller and Isabella D. Miller and by deed dated September 10, 1901, from George Frost, president of the Riverside Land Company. In effecting any sale or exchange hereunder the Secretary of the Interior is authorized to execute such deeds or other instruments as may be necessary to transfer the title to any land so sold or exchanged, and the proportionate share or shares of capital stock of the Riverside Water Company evidencing the right of

Sherman Institute, Riverside, Calif.
Sale or exchange of land.

the lands so sold or exchanged to participate in the use of water furnished by said company for domestic and/or irrigation purposes. Any exchanges of land and/or water rights effected pursuant to this Act shall be on an equal-value basis.

Use of proceeds from sale.

25 U. S. C. § 155.

SEC. 2. That the proceeds derived from any sale made under authority of this Act shall be deposited in the Treasury of the United States as school revenues, pursuant to the Act of May 27, 1926 (44 Stat. 560), and shall be available in the discretion of the Secretary of the Interior for the purchase of other lands for the use of said Sherman Institute, including the water right or shares of water stock representing the right of the lands so purchased to the use of water for irrigation and/or domestic purposes.

Approved, December 16, 1944.

[CHAPTER 602]

AN ACT

December 16, 1944
[S. 1597]

To amend section 1, Act of June 29, 1940 (54 Stat. 703), for the acquisition of Indian lands for the Grand Coulee Dam and Reservoir, and for other purposes.

[Public Law 497]
58 Stat. 813

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 1 of the Act approved June 29, 1940 (54 Stat. 703), be amended to read as follows: "That, in aid of the construction, operation and maintenance of the Columbia Basin project (formerly the Grand Coulee Dam project), authorized by the Act of August 30, ⊥1935 (49 Stat. 1028), the Act of August 4, 1939 (53 Stat. 1187), and the Columbia Basin Project Act (Public, Numbered 8, Seventy-eighth Congress, first session, 57 Stat. 14), there is hereby granted to the United States, subject to the provisions of this Act, (a) all the right, title, and interest of the Indians in and to the tribal and allotted lands within the Spokane and Colville Reservations, including sites of agency and school buildings and related structures and unsold lands in the Klaxta town site, as may be designated therefor by the Secretary of the Interior from time to time: *Provided*, That no lands shall be taken for reservoir purposes above the elevation of one thousand three hundred and ten feet above sea level as shown by General Land Office surveys, except in Klaxta town site and except where in the judgment of the Secretary of the Interior, special circumstances concerning the reservoir or its operation and maintenance require the taking of land above that elevation; and (b) such other interests in or to any such lands and property within these reservations as may be required and as may be designated by the Secretary of the Interior from time to time for the construction of pipe lines, highways, railroads, telegraph, telephone, and electric-transmission lines in connection with the project, or for the relocation or reconstruction of such facilities made necessary by the construction of the project."

Columbia Basin project.
16 U. S. C., Supp. III, § 835d.

Acquisition of Indian lands.

⊥814
49 Stat. 1040.
43 U. S. C. §§ 375a, 380a, 387, 389, 485–485k.
16 U. S. C., Supp. III, §§ 835 to 835c–5.

Restriction on reservoir sites; exception.

Construction of pipe lines, etc.

Approved, December 16, 1944.

[CHAPTER 607]

AN ACT

December 19, 1944
[S. 209]

Authorizing the conveyance of certain property to the State of North Dakota.

[Public Law 502]
58 Stat. 816

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 25, 1938 (52 Stat. 1173), is hereby amended to read as follows:

North Dakota. Conveyance.

"That the Secretary of the Interior be, and he is hereby, authorized to grant and convey to the State of North Dakota, for military and defense purposes, fee-simple title to all or any part of the lands and improvements comprising the Bismarck Indian School Plant. In any such grant, there shall be reserved to the United States the right to

Reservation.

construct and operate over the property granted canals, ditches, transmission lines, and facilities incidental thereto that may be constructed in connection with Federal projects for the irrigation of land."

Approved, December 19, 1944.

[CHAPTER 626]

AN ACT

To amend and supplement the Federal-Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations for the post-war construction of highways and bridges, to eliminate hazards at railroad-grade crossings, to provide for the immediate preparation of plans, and for other purposes.

December 20, 1944
[S. 2105]
[Public Law 521]
58 Stat. 838

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Federal Aid Highway Act of 1944

* * *

SEC. 5. (a) The Federal share payable on account of any project provided for by the funds made available under the foregoing provisions of this Act shall not exceed 50 per centum of the construction cost thereof other than costs of rights-of-way, and as to costs of rights-of-way shall not exceed one-third of such costs: *Provided*, That in the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein the Federal share shall be increased in each of the three post-war years by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State is of its total area:

§ 840
Federal share of cost

States containing public lands, etc.

* * *

SEC. [illegible](c) For the construction, improvement, and maintenance of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $6,000,000 for the first post-war fiscal year and a like amount for each of the second and third post-war fiscal years: *Provided*, That the location, type, and design of all roads and bridges constructed shall be approved by the Public Roads Administration before any expenditures are made thereon, and all such construction shall be under the general supervision of the Public Roads Administration.

§ 843
Indian reservation roads and bridges.

25 U. S. C. § 318a

Approval by Public Roads Administration

* * *

Approved, December 20, 1944.

[CHAPTER 660]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, and to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.

December 22, 1944
[H. R. 5587]
[Public Law 529]
58 Stat. 853

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, and to provide supplemental appropriations for the fiscal years ending June 30, 1945 and 1946, and for other purposes, as follows:

First Supplemental Appropriation Act, 1945.

TITLE I—GENERAL APPROPRIATIONS

* * *

DEPARTMENT OF THE INTERIOR

§ 864
Post, p. 876.

* * *

1865

BUREAU OF INDIAN AFFAIRS

For deposit by the Secretary of the Treasury to the official trust fund checking account of the special disbursing agent of the Rosebud Indian agency, Rosebud, South Dakota, for disposition as provided by and subject to the provisions of the Act of June 22, 1944 (Private Law 307), $2,382.77.

Post, p. 993.

Colorado River Tribe of Indians, attorney

For compensation and expenses of an attorney employed by the Colorado River Tribe of Indians of the Colorado River Reservation, Arizona, under a contract approved by the Secretary of the Interior on July 24, 1944, $800, fiscal year 1944, payable from funds on deposit to the credit of the tribe.

* * *

1876

TITLE III—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

1878

AUDITED CLAIMS

SEC. 304. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1942 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 799, Seventy-eighth Congress, there is appropriated as follows:

18 Stat. 110.

23 Stat. 254.

* * *

1881

Department of the Interior:

* * *

1882

For administration of Indian property, $7.88.

For Civilian Conservation Corps (transfer to Interior, Indians), $171.90.

For conservation of health among Indians, $840.67.

For education of natives of Alaska, $258.93.

For general expenses, Indian service, $12.20.

For Indian school support, $510.61.

For Indian Service supply fund, $403.40.

For irrigation, Indian reservations (reimbursable), $9.55.

For maintaining law and order on Indian reservations, $140.10.

For maintenance, irrigation systems, Flathead Reservations, Montana (receipt limitation), $17.54.

For maintenance, San Carlos irrigation project, Gila River Reservation, Arizona (reimbursable), $1.94.

For purchase and transportation of Indian supplies, $164.38.

For support and rehabilitation of needy Indians, $332.52.

For support of Indians and administration of Indian property, $13.93.

* * *

Approved, December 22, 1944.

[CHAPTER 665]

AN ACT

December 22, 1944
[H. R. 4485]
[Public Law 534]
58 Stat. 887

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Navigation and flood control.
Declaration of policy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control,

⊥as herein authorized, it is hereby declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users. ⊥888

* * *

⊥SEC. 9. ⊥891

* * *

(c) Subject to the basin-wide findings and recommendations regarding the benefits, the allocations of costs and the repayments by water users, made in said House and Senate documents, the reclamation and power developments to be undertaken by the Secretary of the Interior under said plans shall be governed by the Federal Reclamation Laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), except that irrigation of Indian trust and tribal lands, and repayment therefor, shall be in accordance with the laws relating to Indian lands.

* * *

Approved, December 22, 1944.

[CHAPTER 711]

AN ACT

To authorize the sale of certain lands of the Tulalip Tribe of Indians, State of Washington.

December 23, 1944
[H. R. 4782]
[Public Law 549]
58 Stat. 917

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, in his discretion, under such rules and regulations as he may prescribe, and with the approval of the governing officials of the Tulalip Tribe of Indians, to sell and convey to the purchasers certain lands, commonly referred to as tidelands, fronting upon lots 1, 2, 3, and 4 of section 1, township 29 north, range 4 east, the south half of section 36, township 30 north, range 4 east, and lot 1 of section 6, township 29 north, range 5 east, Willamette meridian, Washington. Title to the lands so sold shall be conveyed by deed executed by the Governing officials of the tribe and approved by the Secretary of the Interior. In the discretion of the Secretary of the Interior, the lands may be offered for sale by lots or parcels based upon local lot descriptions as identified by local plats of survey covering Priest Point Park Subdivisions: *Provided*, That the proceeds of the sale of the lands shall be deposited with the bonded disbursing officer of the Tulalip Indian Agency to the credit of the Tulalip Indian Tribe, a corporation, and, with the approval of the Secretary of the Interior, such proceeds may be reinvested in other lands, in accordance with and subject to the provisions of the Act of June 18, 1934 (48 Stat. 984).

Tulalip Tribe of Indians, Wash.
Sale of lands.

Deposit of proceeds.

25 U. S. C. §§ 461–479.

Approved, December 23, 1944.

PRIVATE LAWS OF THE SEVENTY-EIGHTH CONGRESS, SECOND SESSION, 1944

[CHAPTER 704]

AN ACT

To authorize and direct the Secretary of the Interior to issue to Charles F. White a patent in fee to certain land.

December 22, 1944
[S. 1925]
[Private Law 545]
58 Stat. 1092

Charles F. White

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Charles F. White, Crow allottee numbered 1444, a patent in fee to lots 5, 6, 7, 8, south half of section 9; lots 5, 6, north half of the north half of the southwest quarter of section 10, township 1 south, range 38 east, Montana principal meridian, Big Horn County, Montana, containing four hundred and twelve and thirty-seven one-hundredths acres.

Approved, December 22, 1944.

[CHAPTER 705]

AN ACT

December 22, 1944
[S. 2026]

Authorizing the issuance of a patent in fee to Richard Pickett.

[Private Law 546]
58 Stat. 1092

Richard Pickett

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to issue to Richard Pickett, a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Montana: The east half of section 11, the east half of the northwest quarter and the west half of the northeast quarter of section 14, township 2 south, range 30 east, and the west half of the northeast quarter and the north half of the southeast quarter of section 28, township 2 south, range 32 east, Montana principal meridian.

Approved, December 22, 1944.

PUBLIC LAWS OF THE SEVENTY-NINTH CONGRESS, FIRST SESSION, 1945

[CHAPTER 19]

AN ACT

March 2, 1945
[S. 35]

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

[Public Law 14]
59 Stat. 10

Rivers and harbors, improvements

Policy of Congress

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, as herein authorized, it is hereby declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users.

* * *

⊥11
Projects authorized.

⊥12

⊥SEC. 2. The following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized in the interest of ⊥national security and the stabilization of employment, and shall be prosecuted as speedily as may be consistent with budgetary requirements, under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That no project herein authorized shall be appropriated for or constructed until six months after the termination of the present wars in which the United States is engaged unless the construction of such project has been recommended by an authorized

Post-war appropriation and construction.
Post, p. 556.

defense agency and approved by the President as being necessary or desirable in the interest of the national defense and security, and the President has notified the Congress to that effect: *Provided further*, That penstocks or other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers and of the Federal Power Commission, and such recommendations shall be based upon consideration of the proper utilization and conservation in the public interest of the resources of the region:

Penstocks.

* * *

⊥Columbia River at Bonneville, Oregon: The Secretary of War is hereby authorized, under such terms and conditions as he may deem advisable, to acquire lands and provide facilities in the States of Oregon and Washington to replace Indian fishing grounds submerged or destroyed as a result of the construction of Bonneville Dam: *Provided*, That not to exceed $50,000 may be expended for this purpose from funds heretofore or hereafter appropriated for maintenance and improvement of existing river and harbor works: *Provided further*, That such lands and facilities shall be transferred to the Secretary of the Interior for the use and benefit of the Indians, and shall be subject to the same conditions, safeguards, and protections as the treaty fishing grounds submerged or destroyed;

⊥22
Columbia River.
Replacement of Indian fishing grounds.

* * *

Approved, March 2, 1945.

[CHAPTER 95]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.

April 25, 1945
[H.R. 2374]
[Public Law 40]
59 Stat. 77

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes, namely:

First Deficiency Appropriation Act, 1945.

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥DEPARTMENT OF THE INTERIOR

⊥84

* * *

⊥BUREAU OF INDIAN AFFAIRS

⊥85

General expenses: For an additional amount for general expenses, Indian Service, fiscal year 1945, including the objects specified under the appropriation for this purpose in the Interior Department Appropriation Act, 1945, $2,300.

58 Stat. 469.

IRRIGATION AND DRAINAGE

For an additional amount for operation and maintenance of the San Carlos irrigation project for the irrigation of lands in the Gila River Indian Reservation, Arizona, fiscal year 1945, $38,000 (operation and maintenance collections), together with $25,000 (power revenues), from which total amounts expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $63,000.

San Carlos project, Ariz.

48 Stat. 1227.
31 U.S.C. § 725c.

For an additional amount for operation and maintenance of the

Fort Hall, Idaho.

Fort Hall irrigation systems, Idaho, fiscal year 1945, $9,000 (receipt limitation), from which total amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227. 31 U.S.C. § 725c

Uintah project, Utah.

For an additional amount for operation and maintenance of the Uintah irrigation project, Utah, fiscal year 1945, $5,000 (receipt limitation), from which total amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227. 31 U.S.C. § 725c

Colorado River Indians, Ariz.

For compensation and expenses of an attorney employed by the Colorado River Tribe of Indians of the Colorado River Reservation, Arizona, under a contract approved by the Secretary of the Interior, fiscal year 1945, $1,050, payable from funds on deposit to the credit of the tribe.

EDUCATION

Nonreservation boarding schools.

58 Stat. 477.

For support and education of Indian pupils in nonreservation boarding schools, fiscal year 1945, $47,625, to be added to the appropriation of $2,627,620 for this purpose in the Interior Department Appropriation Act, 1945, and to be available for the following schools:

Phoenix, Arizona: $32,375; and the amount available for the support of Indian pupils is hereby increased from $163,475 to $195,850; and the number of pupils from four hundred and twenty-five to five hundred and fifty;

Chemawa, Oregon: $15,250; and the amount available for the support of Indian pupils is hereby increased from $159,475 to $174,725; and the number of pupils from three hundred and seventy-five to four hundred and twenty-five.

* * *

192 TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

194 JUDGMENTS, UNITED STATES COURT OF CLAIMS

SEC. 203. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-ninth Congress in Senate Document Numbered 23, and House Document Numbered 85, under the following agencies, namely:

* * *

Department of the Interior, Indians, $5,024,842.34;

Approved, April 25, 1945.

[CHAPTER 123]

AN ACT

Amending the Act of June 25, 1938 (52 Stat. 1207), authorizing the Secretary of the Interior to pay salary and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath business committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe, as amended, and for other purposes.

May 15, 1945
[S. 655]
[Public Law 56]
59 Stat. 167

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 25, 1938 (52 Stat. 1207), as amended, be, and the same hereby is, further amended so as to read in full as follows:

Klamath Indians. 25 U.S.C. § 563.

Salaries and expenses of tribe officials.

"The Secretary of the Interior, or such official as may be designated by him, is hereby authorized beginning as of July 1, 1937, and until otherwise directed by Congress, to pay out of any unobligated tribal funds of the Klamath Indians in the Treasury of the United States salaries and expenses to the chairman, secretary, and interpreter of the Klamath General Council and members of the Klamath business committee or other committees appointed by the Klamath General Council (except the Klamath Reimbursable Loan Fund Board), when

engaged on business of the tribe, and to such official delegates of the Klamath Tribe who may carry on the business of the tribe at the seat of government: *Provided*, That the rate of salary and per diem paid shall be fixed in advance by resolution of the Klamath General Council, subject to the approval of the Commissioner of Indian Affairs, except that additional salaries and expenses, fixed and approved in the same way, may be made retroactive to July 1, 1943: *Provided further*, That the official delegates of the tribe carrying on said business at the seat of government shall receive, if travel is by rail, the usual railroad and sleeping car transportation to and from the seat of government, or, if travel is by automobile, delegates furnishing such transportation shall receive an amount equivalent to the cost of their railroad and sleeping-car transportation to and from the seat of government, but salary and per diem shall not be paid to delegates traveling by automobile for any period in excess of the time required to perform the travel by railroad: *Provided further*, That the aforesaid official delegates shall also receive reimbursement for telegraphic ⊥expenses incurred on tribal business: *Provided further*, That the aforesaid salaries and expenses shall not exceed $15,000 per annum: *Provided further*, That the length of stay of the official delegates at the seat of government shall be determined by the Commissioner of Indian Affairs."

Rates.

Transportation of official delegates.

Telegraphic expenses.

⊥168

Limitation.

Length of stay at seat of government.

Approved, May 15, 1945.

[CHAPTER 129]

AN ACT

Making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, and for other purposes.

May 21, 1945
[H. R. 2603]
[Public Law 61]
59 Stat. 169

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, namely:

TITLE I—DEPARTMENT OF STATE

Department of State Appropriation Act, 1946.

* * *

⊥INTERNATIONAL OBLIGATIONS

⊥175

United States contributions to international commissions, congresses, and bureaus: For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts as follows: . . .

Contributions, quotas, etc.
Post, pp. 427, 428, 653.

* * *

⊥Inter-American Indian Institute, $4,800;

⊥176

* * *

. . . in all, $1,790,400, together with such additional sums, due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

Additional sums due to increased rates of exchange.

* * *

Approved, May 21, 1945.

[CHAPTER 173]

AN ACT

June 4, 1945
[H.R. 1804]
[Public Law 74]
59 Stat. 231

To amend the Act of Congress entitled "An Act for the relief of the Tlingit and Haida Indians of Alaska", approved June 5, 1942.

Tlingit and Haida Indians of Alaska

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act for the relief of the Tlingit and Haida Indians of Alaska", approved June 5, 1942 (56 Stat. 323), is amended to read as follows:

Time for filing suit extended

"That the time within which suit or suits may be filed by the Tlingit and Haida Indians of Alaska under the terms of the Act of Congress of June 19, 1935 (ch. 275, 49 Stat. L. 388), is hereby extended for a period of six years from and after the date of the approval of this Act."

Approved, June 4, 1945.

[CHAPTER 189]

AN ACT

June 13, 1945
[H.R. 3109]
[Public Law 85]
59 Stat. 238

Making appropriations for the Legislative Branch for the fiscal year ending June 30, 1946, and for other purposes.

Legislative Branch Appropriation Act, 1946
Post, pp. 412, 413, 632, 633

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending June 30, 1946, namely:

SENATE

* * *

1239 ⊥COMMITTEE EMPLOYEES

Clerks and messengers to the following committees:

* * *

1240 ⊥Indian Affairs—clerk, $3,900; assistant clerk, $3,600 and $1,400 additional so long as the position is held by the present incumbent; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800.

* * *

1244 ⊥HOUSE OF REPRESENTATIVES

* * *

1245 ⊥COMMITTEE EMPLOYEES

Clerks, messengers, and janitors to the following committees:

* * *

1246 ⊥Indian Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260.

* * *

Approved, June 13, 1945.

[CHAPTER 203]

AN ACT

June 30, 1945
[H.R. 378]
[Public Law 97]
59 Stat. 265

Authorizing an appropriation to carry out the provisions of the Act of May 3, 1928 (45 Stat. 484), and for other purposes.

Sioux Indians
Claims for personal property losses
Post, p. 647

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $101,630 for payment to certain individual Sioux Indians, their heirs, or devisees, in full settlement and satisifaction of their claims against the United States for personal property losses as found and determined by the

Secretary of the Interior on November 4, 1944, pursuant to the Act of May 3, 1928 (45 Stat. 484): *Provided*, That the Secretary may make corrections in his findings to eliminate or modify awards where overlapping or duplications exist: *Provided further*, That the Secretary is authorized and directed to determine what attorney or attorneys have rendered services of value on behalf of the said Indian claimants as a class, and to pay such attorney or attorneys the reasonable value of such services not to exceed, in the aggregate, 10 per centum of the amount appropriated above, which payment shall be in full for all services rendered by such attorney or attorneys to said claimants.

Corrections.

Attorneys' services.

SEC. 2. The Secretary, or his duly authorized representative, under such rules and regulations as the Secretary may prescribe, is authorized and directed to distribute the amounts awarded to said claimants and to ascertain the heirs or devisees of deceased claimants. In addition, an additional $10,000 is hereby authorized to be appropriated to be available until expended.

Distribution of awards.

Additional appropriation authorized.

SEC. 3. Every claim or demand for payment of the individual awards made pursuant to said Act of May 3, 1928, shall be forever barred unless such claim or demand shall be filed with the Office of Indian Affairs within ten years after the date of the approval of this Act. The Secretary of the Interior shall cause diligent investigation and inquiry to be made for the purpose of identifying all persons entitled to share in the distribution of any such award, including the heirs or devisees of deceased claimants. As soon as possible after the termination of the time allowed by this section, the Secretary shall certify to the Department of the Treasury the amounts of the individual awards made pursuant to said Act of May 3, 1928, which remain unpaid by reason of no claim or demand having been filed, or by reason of the death of the claimant intestate and without heirs, or by reason of inability to identify any person entitled to receive distribution of the award. All amounts so certified shall revert to the United States and be covered into the surplus fund of the Treasury.

Time limitation.

Certification of awards.

Approved June 30, 1945.

[CHAPTER 223]

AN ACT

To validate titles to certain lands conveyed by Indians of the Five Civilized Tribes and to amend the Act entitled "An Act relative to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma", approved January 27, 1933, and to validate State court judgments in Oklahoma and judgments of the United States District Courts of the State of Oklahoma.

July 2, 1945
[H.R. 2754]
[Public Law 116]
59 Stat. 313

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no conveyance made by an Indian of the Five Civilized Tribes on or after April 26, 1931, and prior to the date of enactment of this Act, of lands ⊥purchased, prior to April 26, 1931, for the use and benefit of such Indian with funds derived from the sale of, or as income from, restricted allotted lands and conveyed to him by deed containing restrictions on alienation without the consent and approval of the Secretary of the Interior prior to April 26, 1931, shall be invalid because such conveyance was made without the consent and approval of the Secretary of the Interior: *Provided*, That all such conveyances made after the date of the enactment of this Act must have the consent and approval of the Secretary of the Interior: *Provided further*, That if any such conveyances are subject to attack upon grounds other than the insufficiency of approval or lack of approval such conveyances shall not be affected by this section.

Five Civilized Tribes. Validation of certain conveyances.

⊥314

SEC. 2. That nothing contained in the Act of January 27, 1933 (47 Stat. 777), shall be construed to impose restrictions on the alienation of lands or interests in lands acquired by inheritance, devise, or in any

other manner, by Indians of the Five Civilized Tribes, where such lands, or interest therein, were not restricted against alienation at the time of acquisition, and all conveyances executed by Indians of the Five Civilized Tribes after January 27, 1933, and before the date of approval of this section, of lands, or interests in lands, which, at the time of acquisition by them, were free from restrictions, are hereby confirmed and declared to be valid, irrespective of whether such conveyances were or were not approved by the Secretary of the Interior, or by any county court of the State of Oklahoma: *Provided*, That if any such conveyances are subject to attack upon grounds other than the insufficiency of approval or lack of approval such conveyances shall not be affected by this section: *Provided further*, That the provisions of this section shall not be construed to validate or confirm any conveyance made in violation of restrictions recited in any deed to lands purchased with the restricted or trust funds belonging to any Indian of the Five Civilized Tribes.

25 U.S.C. §§ 355, 375.

SEC. 3. That no order, judgment, or decree in partition made, entered, or rendered subsequent to the effective date of the Act of June 14, 1918 (40 Stat. 606), and prior to the effective date of this Act, and involving inherited restricted lands of enrolled and unenrolled members of the Five Civilized Tribes, shall be held null, void, invalid, or inoperative, nor shall any conveyance of any land pursuant to such order, judgment, or decree be held null, void, invalid, or inoperative because the United States was not a party to such order, judgment, or decree, or to any of the proceedings in connection therewith, or because the United States, its agents, or officers, or any of them, was not served with any notice or process in connection therewith, and all such orders, judgments, decrees, and conveyances, which are subject to attack solely by reason of any of the infirmities enumerated by this section, are hereby confirmed, approved, and declared valid.

Separability of provisions.

SEC. 4. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Approved, July 2, 1945.

[CHAPTER 262]

AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes.

July 3, 1945
[H.R. 3024]
[Public Law 123]
59 Stat. 318
Interior Department Appropriation Act, 1946.
Post, pp. 646–650.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1946, namely:

* * *

⊥322

⊥GENERAL LAND OFFICE

* * *

⊥324
Post, p. 646.

⊥Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (30 U.S.C. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (30 U. S. C. 191), $3,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

42 Stat. 1448.

41 Stat. 450

48 Stat. 1227
31 U. S. C. § 725c.

* * *

BUREAU OF INDIAN AFFAIRS

Post, p. 647

SALARIES AND GENERAL EXPENSES

For departmental personal services, including such services in the District of Columbia, $691,760.

For travel expenses of departmental employees of the Bureau of Indian Affairs; radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, District of Columbia, and Chicago, Illinois; rental of office equipment and the purchase of necessary supplies therefor; printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals; and other necessary expenses of the Indian Service for which no other appropriation is available, $80,900.

Purchase of goods and supplies

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $760,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Maintenance of law and order

For maintaining law and order on Indian reservations, including pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, and including traveling expenses, supplies, and equipment, $272,600.

Lease, etc., of agency buildings

For lease, purchase, construction (not to exceed $1,500 for any one building), repair, and improvement of agency buildings, exclusive of hospital buildings, including the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $200,000.

Vehicles, Indian Service: Not to exceed $450,000 of applicable ⊥appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and applicable appropriations may be used for the purchase of not to exceed one hundred motor-propelled passenger-carrying vehicles, and such vehicles may be used for the transportation of Indian school pupils.

⊥325

Replacement of property destroyed by fire, flood, or storm: To meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress

INDIAN LANDS

Restricted Indian lands, taxes, etc.
50 Stat. 573

The unexpended balance of the appropriation of $25,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for the payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, as authorized by the Act of June 20, 1936 (49

25 U. S. C. § 412a

Stat. 1542), is hereby continued available for the same purposes until June 30, 1946.

Havasupai Indian Reservation, Ariz.

Purchase of improvements on lands, Havasupai Indian Reservation, Arizona: The unexpended balance of the appropriation under this head in the Interior Department Appropriation Act, 1945, is hereby continued available for the same purposes until June 30, 1946.

58 Stat. 470.

Purchase and lease of lands.

Purchase and lease of lands (tribal funds): For the purchase of land and improvements on land; lease of lands and water rights; and necessary expenses incident thereto, in not to exceed the following amounts:

Arizona: Navajo, Arizona and New Mexico, $20,000; Colorado: Southern Ute, $30,000; Montana: Blackfeet, $50,000; Flathead, $25,000; Fort Peck, $50,000; Nebraska: Santee, $6,000; North and South Dakota: Standing Rock, $6,000; Washington: Colville, $50,000; in all, not to exceed $237,000, to be paid from the funds held by the United States in trust for the respective tribes: *Provided*, That 5 per centum of the foregoing amounts shall be available interchangeably.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest and range fires, or taking or otherwise destroying timber, in violation of law on Indian lands, and the establishment of cooperative sustained yield ⊥forest units pursuant to the Act of March 29, 1944 (Public Law 273), $566,080: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

⊥326

58 Stat. 132.

16 U. S. C., Supp. IV, §§ 583–583i.

Availability.

Timber sales, etc., expenses.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands only from which such timber is sold, $137,800, reimbursable to the United States as provided in the Act of February 14, 1920 (25 U. S. C. 413), from the proceeds of timber sales: *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in violation of law.

41 Stat. 415.

Rewards.

Suppression, etc., of forest fires.

For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, $12,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations and forest and range administration shall be available upon the approval of the Secretary for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Geological Survey Transfer of funds.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (25 U. S. C. 336, 371, 397), May 27, 1908 (35 Stat. 312), March 3, 1909 (25 U. S. C. 396), and other Acts authorizing the leasing of such lands for mining purposes, including purchase (not to exceed one), maintenance, repair, and operation of passenger-carrying vehicles, and not to exceed $10,000 for personal services in the District of Columbia, $94,200.

26 Stat. 794; 35 Stat. 783.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $600,000, of which not to exceed $10,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $33,500 may be used for the operation and maintenance of a sheep breeding station on the Navajo Reservation, and not to exceed $5,000 may be used for defraying the expenses of Indian fairs, including premiums for exhibits.

Development of agriculture and stock raising.

Navajo Reservation, sheep breeding station.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of land, seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $30,000, payable from tribal funds as follows: Colorado River, Arizona, $30,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1945 are hereby continued available during the fiscal year 1946 for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youth to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to [1]exceed eight years under such regulations as the Secretary may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1946 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary: *Provided further*, That enterprises operated under the authority contained in the foregoing proviso shall be governed by the regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Advances for home construction, etc.

Funds continued available.
58 Stat. 472.

Educational loans.

[1] 1327.
Moneys reimbursed, availability.

Tribal enterprises.

48 Stat. 986.
25 U. S. C., Supp. IV, § 470a.
Advances.

To increase the revolving fund established for the purpose of making and administering loans to Indian chartered corporations in accordance with section 10 of the Act of June 18, 1934 (25 U. S. C. 470), and of making and administering loans to Indians and Indian organizations in accordance with the Acts of June 26, 1936 (25 U. S. C. 506), May 1, 1936 (25 U. S. C. 473a), and July 12, 1943 (57 Stat. 459), $250,000, and not to exceed $125,000 of the revolving fund established pursuant to said Acts, shall be available for all necessary expenses of administering loans to Indians from said fund and other funds, including not to exceed $3,000 for printing and binding; and the authorization of $600,000 in the Interior Department Appropriation Act, 1944, for loans from said revolving fund to individual Indians and Indian organizations otherwise ineligible to participate therein is hereby increased to $750,000.

Revolving loan fund.

48 Stat. 986.
25 U. S. C., Supp. IV, § 470a.
49 Stat. 1967, 1250.
Administrative expenses.

Increase of authorization.
57 Stat. 459.

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat. 891), including expenses of exhibits, not to exceed $2,500 for printing and binding, and other necessary expenses,

Indian arts and crafts.

25 U. S. C. §§ 305–305e.

Salary limitation

$31,740, of which not to exceed $13,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $6,500 per annum.

Reappropriation

55 Stat. 826

The appropriation "Suppressing contagious diseases of livestock on Indian reservations" contained in the Third Supplemental National Defense Appropriation Act, 1942, is hereby continued available until June 30, 1946, for the same purposes, and for suppressing contagious diseases among livestock of Indians under the jurisdiction of the Pima Agency, Arizona.

DEVELOPMENT OF WATER SUPPLY

For the development, rehabilitation, repair, maintenance, and operation of domestic and stock water facilities on the Navajo Reservation in Arizona, New Mexico, and Utah, the Hopi Reservation in Arizona, the Papago Reservation in Arizona, and the several Pueblos in New Mexico, including the purchase and installation of pumping and other equipment, $95,000.

IRRIGATION AND DRAINAGE

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian

1328

reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, $255,000, reimbursable, together with $51,100 operation and maintenance collections, from which latter amount expenditures for any one project shall not exceed the aggregate receipts from such project covered into the Treasury pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934:

48 Stat. 1227
31 U. S. C. § 725c

Miscellaneous projects, $40,000; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Fort Apache, $4,500; San Carlos, $5,000; Navajo, miscellaneous projects, Arizona and New Mexico, $41,535; together with $25,500 (Fruitlands, $9,000; Ganado, $4,500; Hogback, $7,000; miscellaneous projects, $8,000), collections; Hopi, miscellaneous projects, $1,500; San Xavier, $2,000; Truxton Canon, $1,815; Salt River, $3,400, together with $2,600, collections; California: Mission, $7,000, together with $3,000 (Morongo, $1,000; Pala and Rincon, $1,000; miscellaneous projects, $1,000), collections; Colorado: Southern Ute, $8,000, together with $8,000, collections; Montana: Tongue River, $2,250, together with $1,000, collections; Nevada: Pyramid Lake, $3,500, together with $500, collections; Walker River, $4,500, together with $1,500, collections; Western Shoshone, $8,000, together with $2,000, collections; New Mexico: Miscellaneous Pueblos, $24,300; Mescalero, $2,500; Oregon: Warm Springs, $3,500; Washington: Colville, $5,200, together with $5,000, collections; Lummi diking project, $500, together with $2,000, collections; and for necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $78,000: *Provided*, That the foregoing amounts shall be available interchangeably in the discretion of the Secretary, for necessary expenditures for damages by floods and other unforeseen exigencies, but the amounts so interchanged shall not exceed in the aggregate 5 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary as required by such law, and any

Interchange of amounts.

Apportionment of costs.

unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

San Carlos project, Ariz.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $125,000 (operation and maintenance collections), and $216,500 (power revenues), of which latter sum not to exceed $20,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts of $125,000 and $216,500, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $341,500.

48 Stat. 1227. 31 U. S. C. § 725c.

Pima Indians, Ariz. Subjugation and cropping operations.

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed $132,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Colorado River Indian Reservation, Ariz.

For improvement, operation, and maintenance of the irrigation and power systems on the Colorado River Indian Reservation, Arizona, $10,500, reimbursable, together with $31,450 (operation and main- ⊥ tenance collections) and $44,200 (power revenues), from which amounts of $31,450 and $44,200, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $86,150.

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48 Stat. 1227. 31 U. S. C. § 725c.

Yuma Reservation, Calif.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $11,500, reimbursable.

Fort Hall irrigation systems, Idaho.

For improvements, maintenance, and operation of the Fort Hall irrigation systems, Idaho, $25,820, together with $37,950, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.

Fort Belknap Reservation, Mont.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $12,500, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.

Fort Peck project, Mont.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, $7,940, reimbursable, together with $7,700, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.

Blackfeet Indian Reservation, Mont.

For the improvement, maintenance, and operation of the irrigation systems on the Blackfeet Indian Reservation in Montana, $10,300, reimbursable, together with $15,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.

Flathead Reservation, Mont.

For operation and maintenance of the irrigation and power systems on the Flathead Reservation, Montana, $5,500, reimbursable, together with $128,400 (operation and maintenance collections) and $116,400 (power revenues), from which amounts of $128,400 and $116,400, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $250,300.

Supra.

Crow Reservation, Mont.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $4,500, reimbursable, together with $44,500, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra

Tongue River Water Users' Association, etc., Mont.

For the payment to the Tongue River Water Users' Association, Montana, or the State Water Conservation Board of Montana, in accordance with the provisions of the Act approved August 11, 1939 (53 Stat. 1411), $9,750, reimbursable as provided in said Act.

Paiute lands within Newlands project, Nev.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $2,881; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, $5,565, to be immediately available; in all, $8,446.

⊥330
Middle Rio Grande Conservancy District, N. Mex.

⊥For operation and maintenance assessments on Indian lands, and the buildings and grounds of the Albuquerque Indian School, within the Middle Rio Grande Conservancy District, New Mexico, $5,086, of which amount $3,948 shall be reimbursed in accordance with existing law.

Klamath Reservation, Oreg.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, Oregon, $1,575, reimbursable, together with $5,000, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek and Modoc Point units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Uncompahgre, etc., Utes, Utah.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat. 375), $19,750, reimbursable, together with $43,040 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.

Uintah project, Utah.
25 U. S. C., Supp. IV, § 389 note.

For payment of operation and maintenance assessments on certain lands within the Uintah Indian irrigation project as authorized by section 4 (a) of the Act of May 28, 1941 (55 Stat. 209), $1,000.

Yakima Indian Reservation, Wash.
Wapato system.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $184,100 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanun units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.
Reimbursement to reclamation fund.

For reimbursement to the reclamation fund for stored water to irrigate Indian lands on the Yakima Indian Reservation, Washington, pursuant to the Act of July 1, 1940 (54 Stat. 707), $20,000.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat. 604), $11,000.

Irrigation charges, Wapato project, Wash.

For reimbursement to the reclamation fund for water furnished the Wapato irrigation project, Yakima Reservation, Washington, for the fiscal years 1937 to 1946, under an agreement of March 31, 1921, $336,750, from which amount payments shall not exceed the aggregate receipts covered into the Treasury as "Irrigation charges, Wapato-

Satus project, Washington", pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934. *Supra*

For settlement of claims to water rights in the Gila River, Arizona, $114,400, reimbursable, of which amount $104,400 shall be paid to the Buckeye Irrigation Company and $10,000 shall be paid to the Arlington Canal Company: *Provided*, That no part of the sum herein appropriated shall be paid until appropriate contracts shall have been executed by and between the Secretary of the Interior and the Buckeye Irrigation Company and the Arlington Canal Company: *Provided further*, That no part of the sum herein appropriated shall be paid until (a) an appropriate contract providing for repayment of the proportionate amount properly chargeable to non-Indian lands in the San Carlos Irrigation and Drainage District shall have been executed by the San Carlos Irrigation and Drainage District and approved by the Secretary of the Interior, and (b) an appropriate resolution shall have been adopted by the Gila River Pima-Maricopa Indian Community Council consenting to the charge of the proportionate amount ⊥of the sum herein appropriated as construction costs against all Indian lands within the San Carlos Indian irrigation project, subject to the provisions of the Act of July 1, 1932 (25 U. S. C. 386a). 47 Stat. 564

Gila River, Ariz. Settlement of water rights claims.

Execution of contracts, etc.

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For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district and the Big Bend drainage district on the ceded reservation, $18,000, reimbursable, together with $34,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934. 48 Stat. 1227; 31 U. S. C. § 725c

Wind River Reservation, Wyo.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Arizona: Colorado River, $87,500; Navajo, Arizona and New Mexico, $50,000; Salt River, $30,000;

California: Mission, $10,000; Sacramento, $10,000;

Montana: Flathead, $65,000; Fort Belknap, $6,250; Fort Peck, $45,000;

Nevada: Carson, $8,000; Western Shoshone, $20,000; Pyramid Lake, $50,000;

Wyoming: Wind River, $20,000;

Miscellaneous garden tracts, $50,000;

Construction, repair, etc., of designated projects.

For surveys, investigations, and administrative expenses, including departmental personal services, and not to exceed $2,500 for printing and binding, $115,000;

Surveys, investigations, etc.

In all, $566,750, to be reimbursable in accordance with law, and to remain available until completion of the projects: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Secretary, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 10 per centum.

Interchange of appropriations.

EDUCATION

For the support of Indian schools not otherwise provided for, and for other Indian educational purposes, including apprentice teachers for reservation and nonreservation schools, educational facilities authorized by treaty provisions, care of Indian children of school age

Support of Indian schools.

attending public and private schools, support and education of deaf, dumb, blind, physically handicapped, delinquent, or mentally deficient Indian children; for subsistence of pupils in boarding schools during summer months, for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such regulations as the Secretary may prescribe; not exceeding $25,000 for cooperation with the State of Oklahoma for the construction and equipment of an Indian arts and crafts building at Anadarko, Oklahoma; and tuition and other assistance for Indian pupils attending public schools, and for the support of Indian museums at Rapid City, South Dakota, and Browning, Montana, and on the Fort Apache Reservation, Arizona, $5,417,190: *Provided*, That formal contracts shall not be required for payment (which may be made from the date of admission) of ⊥such tuition and care of Indian pupils: *Provided further*, That not to exceed $10,000 of this appropriation may be used for printing and binding (including illustrations) in authorized Indian-school printing plants: *Provided further*, That no part of any appropriation in this Act for the Bureau of Indian Affairs shall be available for expenses of travel for the study of educational systems or practices outside the continental limits of the United States and the Territory of Alaska.

Contracts.

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Printing and binding.

Travel expenses.

Support of Indian schools from tribal funds: For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf and dumb or blind, physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than $370,000: *Provided*, That formal contracts shall not be required for payment (which may be made from the date of admission) of such tuition and care of Indian pupils.

44 Stat. 560.

Contracts.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $1,500, payable from funds held in trust by the United States for the Osage Tribe.

St. Louis Mission Boarding School, Okla.

For loans to Indians for the payment of tuition and other expenses in recognized high schools and vocational and trade schools, and colleges and universities offering recognized vocational, trade, liberal arts, and professional courses, and for apprentice training in Federal, manufacturing, and other establishments, $25,000: *Provided*, That advances made under this authorization shall be reimbursed in not to exceed eight years, under such regulations as the Secretary may prescribe.

Loans for payment of tuition.

Reimbursement.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the installation, repair, and improvement of heating, lighting, power, sewer, and water systems in connection therewith, and including the purchase of materials for the use of Indian pupils in the construction of buildings (not to exceed $1,500 for any one building) at Indian schools not otherwise provided for, $310,000.

Buildings at Indian schools.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts respectively:

Nonreservation boarding schools.
Support, etc., of Indian pupils.

Phoenix, Ariz.

Phoenix, Arizona: For five hundred pupils, including not to exceed $2,500 for printing and issuing school paper, $167,600; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,000; in all, $192,600:

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For four hundred pupils, including not to exceed $2,000 for printing and issuing school paper,

$150,810; for pay of superintendent, drayage, and general repairs and improvements, $23,500; in all, $174,310;

Haskell Institute, Lawrence, Kansas: For five hundred and twelve pupils, including not to exceed $2,500 for printing and issuing school paper, $188,300; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $25,000; in all, $213,300;

Haskell Institute, Lawrence, Kans

Pipestone, Minnesota: For three hundred and twenty-five pupils, $112,965; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $127,965;

Pipestone, Minn.

Carson City, Nevada: For five hundred pupils, $173,783; for pay of principal, drayage, and general repairs and improvements, $20,000; in all, $193,783;

Carson City, Nev

†Albuquerque, New Mexico: For three hundred and forty-five pupils, $127,905; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,000; in all, $152,905;

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Albuquerque, N Mex

Santa Fe, New Mexico: For two hundred and seventy-five pupils, $103,095; for drayage, and general repairs, and improvements, $15,000; in all, $118,095;

Santa Fe, N Mex

Wahpeton, North Dakota: For three hundred pupils, $105,370; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $118,370;

Wahpeton, N Dak

Chilocco, Oklahoma: For four hundred pupils, including not to exceed $2,000 for printing and issuing school paper, $153,160; for pay of superintendent, drayage, and general repairs and improvements, $25,000; in all, $178,160;

Chilocco, Okla

Sequoyah Vocational School, near Tahlequah, Oklahoma: For three hundred pupils, $104,080; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $119,080;

Sequoyah Vocational School, Tahlequah, Okla

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $62,355; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $69,355;

Carter Seminary, Okla

Euchee, Oklahoma: For one hundred and fifteen pupils, $43,975; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $50,975;

Euchee, Okla

Eufaula, Oklahoma: For one hundred and forty pupils, $52,610; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $59,610;

Eufaula, Okla

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $65,655; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $72,655;

Jones Academy, Okla

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $47,210; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $54,210;

Wheelock Academy, Okla

Chemawa, Oregon: For four hundred and twenty-five pupils, including not to exceed $1,000 for printing and issuing school paper, $152,905; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $172,905;

Chemawa, Oreg

Flandreau, South Dakota: For three hundred and fifteen pupils, $119,475; for pay of superintendent, drayage, and general repairs and improvements, $19,000; in all, $138,475;

Flandreau, S. Dak.

Pierre, South Dakota: For three hundred pupils, $103,390; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $118,390;

Pierre, S Dak.

In all, for above-named nonreservation boarding schools, not to exceed $2,325,143: *Provided*, That 5 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 5 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any

Interchange of amounts.

Report to Congress.

boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Tuition for Indian children at public schools, etc

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools and for the repair of special Indian day schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $355,000, to be expended in the discretion of the Secretary and under regulations to be prescribed by him: *Provided*, That not to exceed $26,000 may be expended for the payment of salaries of public-school teachers, employed by the State, county, or district in special Indian day schools in full-blooded Indian communities, where there are not adequate white day schools available for their attendance.

Salaries of certain public school teachers

25 U.S.C. § 334
Natives in Alaska. Support, relief, etc.

⊥Natives in Alaska: To enable the Secretary, in his discretion, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; repair and rental of school buildings; textbooks and industrial apparatus; pay and traveling expenses of employees; repair, equipment, maintenance, and operation of vessels; and all other necessary expenses which are not included under the above special heads, $1,414,910, to be immediately available, and to remain available until June 30, 1947: *Provided*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution.

Report to Congress

CONSERVATION OF HEALTH

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infections diseases, $5,085,965: *Provided*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation: *Provided further*, That in the discretion of the Secretary and under such regulations as may be prescribed by him, fees may be collected from Indians for medical, hospital, and dental service and any fees so collected shall be covered into the Treasury of the United States.

Clinical surveys and general medical research

Contributions from nonreservation boarding schools

Collection of fees

Medical relief in Alaska: To enable the Secretary in his discretion through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and traveling expenses of employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $844,150, to be available immediately, and to remain available until June 30, 1947.

GENERAL SUPPORT AND ADMINISTRATION

Administration

For general administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions,

$2,791,410: *Provided*, That in the discretion of the Secretary, and under such regulations as may be prescribed by him, fees may be collected from individual Indians for service performed for them, and any fees so collected shall be covered into the Treasury of the United States.

Collection of fees.

For general support and rehabilitation of needy Indians in the United States, $375,000, of which amount not to exceed $37,500 shall be available for administrative expenses incident thereto, including departmental personal services (not to exceed $15,000), and not to exceed $1,000 shall be available for expenses of Indians participating in folk festivals.

Support, etc., of needy Indians.

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, $80,000, to be immediately available, and to remain available until June 30, 1947.

Expenses incident to fulfilling the Atoka agreement: For all necessary expenses in connection with negotiation of a contract (including holding of an election) with the Choctaw and Chickasaw Nations of Indians in Oklahoma for purchase by the United States of present right, title, and interest of such Indians in the land and mineral deposits reserved from allotment in accordance with the provisions of section 58 of the Act entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw Tribes of Indians and for other purposes", approved July 1, 1902, $20,000; to remain available until expended; including $2,000 for printing and binding, and $5,000 for transfer to the Geological Survey for appraisal expenses.

Choctaw and Chickasaw Nations, Okla.

32 Stat. 654.

Administration of Indian tribal affairs (tribal funds): For expenses of administering the affairs and property of Indian tribes including pay and traveling expenses of employees, $170,000, payable from funds held by the United States in trust for the particular tribe benefited; not to exceed $50,000 for any one tribe.

Administration of tribal affairs, Seneca Nation of New York (tribal funds): For salary of a clerk and expenses incident to administering the leasing work of the Seneca Nation of New York, payable from funds deposited into the United States Treasury pursuant to the Act of February 28, 1901 (31 Stat. 819), $2,800, of which not to exceed $800 may be paid to the treasurer of the Seneca Nation to reimburse the nation for expenses incurred in connection with leasing work.

Seneca Nation, N. Y.

Support of Klamath Agency, Oregon (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Klamath Agency, payable from funds held by the United States in trust for the Klamath Tribe of Indians, Oregon, $206,530, of which not to exceed $4,500 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary, and for relief, including cash grants.

Klamath Agency, Oreg.

Support of Makah Indians, Taholah Agency, Washington (tribal funds): For general support of Indians and administration of Indian property of the Makah Tribe under the jurisdiction of the Taholah Agency, Washington, including the purchase of land, buildings and other improvements, title to which shall be taken in the name of the United States in trust for the Makah Indians; payment to the tribe for reimbursement of expenditures made in the purchase of buildings and improvements; and the relief of Indians, including cash grants, $83,600, payable from funds held by the United States in trust for the Makah Tribe of Indians.

Makah Indians, Taholah Agency, Wash.

Support of Menominee Agency and pay of tribal officers, Wisconsin (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Menominee Agency,

Menominee Agency, Wis.

Wisconsin, payable from funds held by the United States in trust for the Menominee Tribe of Indians, Wisconsin, $99,985, including $30,000 for relief of Indians in need of assistance, including cash grants, and $5,200 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary: *Provided*, That not to exceed $8,000 shall be available from the funds of the Menominee Indians for the ⊥payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee advisory council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs.

Salaries, etc., of tribal officers.
⊥336

Relief of needy Indians: For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $75,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, Revised Statutes, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

41 U. S. C. § 5.
18 U. S. C. §§ 744a–744h.

Five Civilized Tribes, Okla.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, not to exceed $5,000 for improvement of Choctaw buildings and grounds, and for salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries of $3,000 each for the said governor, said chief, and said mining trustee, chief of the Creek Nation at $1,200 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Limitation.

Osage Agency, Okla.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of the superintendent of the agency and of necessary employees, and pay of tribal officers, including the employment of a tribal attorney at the rate of $4,500 per annum to be appointed with the approval of the Osage Tribal Council under a contract to be entered into between said tribal attorney and the Osage Tribal Council, which contract shall be approved by the Secretary of the Interior; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and repair and operation of automobiles, $177,140, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That of the said sum herein appropriated $7,500 is hereby made available for traveling and other expenses of members of the Osage Tribal Council, business committees, or other tribal organizations, when engaged on business of the tribe, including supplies and equipment, not to exceed $6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Traveling, etc., expenses.

Expenses of tribal councils, etc.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $6 per

diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs, except that the Shoshone and Arapahoe Tribes of Wyoming may not exceed $8 per diem and when in the District of Columbia or Chicago, Illinois, $10 per diem as heretofore provided, $25,000, payable from funds on ⊥deposit to the credit of the particular tribe interested: *Provided*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in the District of Columbia or Chicago, Illinois, for more than an eight-day period, unless the Secretary shall in writing approve a longer period.

⊥337
Restriction on use of funds.

Compensatioand expenses of an attorney, Colorado River Tribe, Arizona (tribal funds): For compensation and expenses of an attorney employed by the Colorado River Tribe of Indians, Arizona, under contract to be approved by the Secretary of the Interior, $1,500, payable from funds on deposit to the credit of the tribe.

Colorado River Tribe, Ariz., attorney.

Compensation and expenses of an attorney, Ute Tribe, Utah (tribal funds): For compensation and expenses of an attorney employed by the Ute Tribe of Indians of the Uintah and Ouray Reservation, Utah, under a contract approved by the Secretary of the Interior on November 18, 1943, $4,500, payable from funds on deposit to the credit of the tribe.

Ute Tribe, Utah, attorney.

Expenses of attorneys, Colville Tribe, Washington (tribal funds): For expenses of attorney or attorneys employed by the Colville Tribe of Indians of the Colville Reservation, Washington, under a contract approved by the Secretary on October 10, 1944, $2,000, payable from funds on deposit in the Treasury to the credit of said tribe of Indians.

Colville Tribe, Wash., attorneys.

Expenses of attorneys, Quinaielt Tribe, Washington (tribal funds): Not to exceed $8,000 of the funds on deposit to the credit of the Quinaielt Indians, Washington, is hereby made available until expended for expenses incurred by the attorney of record incident to the prosecution of the suit by said tribe against the United States as authorized by the Act of February 12, 1925 (43 Stat. 886): *Provided*, That claims for such expenses shall be itemized and supported by proper vouchers and shall be paid only upon the approval of the Secretary of the Interior: *Provided further*, That any payments made hereunder shall be deducted from any amount which may hereafter be decreed by the Court of Claims to the attorney for expenses in connection with the suit on behalf of the Quinaielt Indians.

Quinaielt Tribe, Wash., attorneys.

Compensation and expenses of an attorney or attorneys, Shoshone Tribe of Indians, Wyoming (tribal funds): For compensation and expenses of an attorney or attorneys employed by the Shoshone Indian Tribe under a contract approved by the Secretary of the Interior on January 20, 1945, $20,000, or so much thereof as may be necessary, payable from funds on deposit in the Treasury to the credit of such tribe; and the amount herein appropriated shall be available for compensation earned and expenses incurred during the period covered by said contract.

Shoshone Tribe, Wyo., attorneys.

ROADS AND BRIDGES

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, and that portion of the State highway in New Mexico between Gallup, New Mexico, and Window Rock, Arizona, serving the Navajo Reservation, $20,000, reimbursable, as authorized by the Act of May 28, 1941.

Gallup Shiprock Highway, N. Mex.

55 Stat. 207.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Act of May 26, 1928 (25 U. S. C. 318a), as supplemented and amended, $900,000, to remain available until expended: *Provided*, That not to exceed $13,500 of the foregoing amount may be expended for departmental personal ⊥serv-

Reservation roads.
45 Stat. 750.

⊥338

ices: *Provided further*, That not to exceed $15,000 of this appropriation shall be available for repair of structures for housing road materials, supplies, equipment, and quarters for road crews.

ANNUITIES AND PER CAPITA PAYMENTS

Senecas, N. Y.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Six Nations, N. Y.
7 Stat. 46.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla.
7 Stat. 99.
11 Stat. 614.
7 Stat. 213.
7 Stat. 212, 236.
7 Stat. 235.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Pawnees, Okla.
11 Stat. 729, 27 Stat. 644.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Indians of Sioux reservations.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $150,000.

Interest on trust funds, payments.

For payment of accrued and accruing interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $725,000.

Availability of funds for purchase of supplies, etc.

Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including nonreservation boarding schools and for conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Indian Service.

Travel expenses, etc.

Appropriations made for the Indian Service for the fiscal year 1946 shall be available for travel expenses; the purchase of ice, and the purchase of rubber boots for official use of employees.

Availability of designated appropriations.

The following appropriations herein made for the Indian Service shall be available for hire, maintenance, and operation of aircraft: "Administration of Indian forests"; "Suppressing forest fires on Indian reservations"; "Education of natives of Alaska"; "Medical relief of natives of Alaska"; and "reindeer service, Alaska".

* * *

1343

⊥GEOGICAL SURVEY

* * *

1344
Mineral leasing.
38 Stat. 742; 40 Stat. 297; 41 Stat. 437, 136.

⊥Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 ⊥(48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves, and for necessary related operations; and for every expense incident thereto, including supplies, equipment, expenses of travel, the construction, maintenance, and repair of necessary camp buildings and

1345

appurtenances thereto, $475,500, of which not to exceed $68,000 may be expended for personal services in the District of Columbia;

* * *

⊥NATIONAL PARK SERVICE ⊥352

* * *

National parks: For administration, protection, maintenance, and improvement of national parks, including necessary protection of the area of federally owned land in the custody of the National Park Service known as the Ocean Strip and Queets Corridor, adjacent to Olympic National Park, Washington; necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of Glacier National Park, Montana, and the international boundary:

* * *

National military parks, battlefields, and cemeteries: For administration, protection, maintenance, and improvement, including the maintenance and repair of the approach road to the Custer Battlefield National Cemetery and the road connecting the said cemetery with the Reno Monument site, Montana, $249,038.

* * *

⊥FISH AND WILDLIFE SERVICE ⊥354

For salaries and expenses, including traveling expenses, necessary in conducting investigations and carrying out the work of the Service, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

SALARIES AND EXPENSES

* * *

Operation and maintenance of fish screens: For operation and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission, $30,000.

* * *

⊥Alaska fisheries: For protecting the seal, sea otter, and other fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; construction, improvement, repair, and alteration of buildings and roads, and subsistence of employees while on said islands; purchase of one, operation, and maintenance of airplanes; and contract stenographic reporting service, $624,700, of which $100,000 shall be available immediately. ⊥355

* * *

⊥SEC. 5. Appropriations herein made for the following bureaus and offices shall be available for expenses of attendance of officers and employees at meetings or conventions of members of societies or associations concerned with their work in not to exceed the amounts indicated: Office of the Secretary, $400; Grazing Service, $300; Petroleum Conservation Division, $100; General Land Office, $300; Bureau of Indian Affairs, $2,000; Bureau of Reclamation, $2,000; Geological Survey, $1,250; Bureau of Mines, $4,000; National Park Service, $1,000; Fish and Wildlife Service, $2,000; and soil and moisture conservation operations (all bureaus), $1,000. ⊥359 Attendance at meetings, etc.

* * *

1360 Purchase of law books, etc.

Limitations.

⊥SEC. 9. Appropriations herein made shall be available for the purchase and exchange of lawbooks, books of reference, and periodicals, and for expenses incurred in completing broken sets, for use at the seat of government, and payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members: *Provided*, That expenditures for the foregoing purposes for the following bureaus and offices shall not exceed the following amounts: Office of the Secretary, $2,250; Petroleum Conservation Division, $350; Division of Geography, $300; Grazing Service (including headquarters at Salt Lake City), $625; General Land Office, $1,000; Bureau of Indian Affairs (including headquarters at Chicago), $500; Bureau of Reclamation, $2,500; Geological Survey, $6,000; Bureau of Mines, $1,250; National Park Service (including headquarters at Chicago), $1,250; and Soil and Moisture Conservation Operations (all bureaus), $1,000.

* * *

Approved, July 3, 1945.

[CHAPTER 271]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1946, and for other purposes.

July 5, 1945
[H.R. 3579]
[Public Law 132]
59 Stat. 412

Second Deficiency Appropriation Act, 1945

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1946, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

* * *

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⊥DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

Indians of Sioux reservations.

For an additional amount for payment of Sioux benefits to Indians of the Sioux Reservations as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, fiscal year 1945, $27,550.80.

* * *

Approved, July 5, 1945.

[CHAPTER 301]

AN ACT

To amend section 3 of the San Carlos Act (43 Stat. 475–476), as supplemented and amended, and for other purposes.

July 14, 1945
[S. 812]
[Public Law 149]
59 Stat. 469

San Carlos irrigation project, Ariz.
Construction charges on non Indian lands

Repayment

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the San Carlos Act, approved June 7, 1924 (43 Stat. 475–476), as amended and supplemented, be, and it is hereby, amended so as to provide that the construction charges on account of non-Indian lands in the San Carlos Federal irrigation project shall be repaid in variable annual payments, to be determined by the number of acre-feet of water stored in the San Carlos Reservoir on March 1 each year beginning on the

1st day of March 1945; the amount of each such annual payment shall be fixed and determined in accordance with the following schedule:

When stored water (other than dead storage) in the San Carlos Reservoir on March 1 of each year is:	The annual construction charge payment due December 1 of the following year shall be:
0 to 100,000 acre-feet	$12,500
Over 100,000 but not over 200,000 acre-feet	25,000
Over 200,000 but not over 250,000 acre-feet	37,500
Over 250,000 but not over 300,000 acre-feet	50,000
Over 300,000 but not over 350,000 acre-feet	75,000
Over 350,000 but not over 400,000 acre-feet	100,000
Over 400,000 acre-feet	125,000

Effective date of schedule

SEC. 2. The variable repayment schedule provided for in section 1 hereof shall go into effect for the fiscal year beginning July 1, 1945, and ending June 30, 1946, and the first such annual payment shall become due and payable December 1, 1946.

"Construction charges"

SEC. 3. The term "construction charges" shall mean the unpaid balance of the principal obligations due the United States under the terms of the repayment contract dated June 8, 1931, between the United States and the San Carlos Irrigation and Drainage District, as amended, including all annual installments deferred in whole or in part: *Provided*, That the sum of $25,000 shall be paid December 1, 1945, on the deferred installment due December 1, 1945, under the amended repayment contract: *Provided further*, That none of the deferred installments shall bear interest during the periods deferred.

Deferred installments

Supplemental agreement

SEC. 4. The Secretary of the Interior is hereby authorized and directed to enter into a supplemental agreement with the San Carlos Irrigation and Drainage District modifying the repayment provisions of the existing repayment contract, as amended, in accordance herewith.

Approved, July 14, 1945.

[CHAPTER 320]

AN ACT

To authorize the Secretary of the Interior to modify the provisions of a contract for the purchase of a power plant for use in connection with the San Carlos irrigation project.

July 21, 1945
[H.R. 1656]
[Public Law 157]
59 Stat. 487

San Carlos irrigation project, Ariz.
Contract for purchase of power plant, modification.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed, with the consent of the Christmas Copper Corporation, to extend to December 31, 1946, the provisions of the contract entered into on June 19, 1942, whereby the United States agreed to purchase the Diesel electric-generating plant of said corporation for use in connection with the San Carlos Indian irrigation project, and whereby said corporation agreed to accept delivery of electric energy from the United States prior to December 31, 1944, in partial payment for such plant; to modify the contract thus extended so as to require that electric energy delivered to said corporation during the period beginning January 1, 1945, be paid for by credit under the contract at the rates established by the general rates schedule for the San Carlos Indian irrigation project system in effect at the time of delivery; and to delete from the contract the provision reserving a first right to said corporation to use seven hundred and fifty kilowatts of power. The terms of the contract thus extended shall be subject to the right of the United States to remove the Diesel plant from its present location or to sell or otherwise dispose of it, which action may be taken in the discretion of the Secretary of the Interior. In the event of such removal or disposition of the Diesel plant, any remaining balance of the purchase price shall be liquidated and discharged prior to December 31, 1946, in the same manner as though such plant had not been disposed of or removed.

Approved, July 21, 1945.

[CHAPTER 322]

JOINT RESOLUTION

July 21, 1945
[H.J. Res. 195]
[Public Law 159]
59 Stat. 501

To provide for the observance and celebration of the one hundred and fiftieth anniversary of the signing of the treaty with the Indians of the Northest Territory, known as the Treaty of Greene Ville.

Treaty of Greene Ville Celebration Commission

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known as the Treaty of Greene Ville Celebration Commission (hereinafter referred to as the "Commission") and to be composed of eight commissioners, as follows: The President of the United States; two Members of the Senate, one from each of the two major parties, to be appointed by the President pro tempore of the Senate; two Members of the House of Representatives, one from each of the two major parties, to be appointed by the Speaker of the House of Representatives; and three individuals from private life, to be appointed by the President of the United States. The commissioners shall serve without compensation and shall select a chairman from among their number.

Composition.

Purpose.

SEC. 2. It shall be the duty of the Commission to prepare and carry out a comprehensive plan for the observance and celebration of the one hundred and fiftieth anniversary of the signing on August 3, 1795, in what is now the State of Ohio, of the Treaty of Greene Ville by General Anthony Wayne and representatives of the Indians of the Northwest Territory. In the preparation of such plan, the Commission shall cooperate with the Treaty of Greene Ville Sesquicentennial Commission, Incorporated, in order that there may be proper coordination and correlation of plans for such observance and celebration.

7 Stat. 49.

Cooperation with designated commission

Director, etc.
42 Stat. 1488.
5 U. S. C. § 661; Supp. IV, § 661 *et seq.*
Ante, p. 298 *et seq.*

SEC. 3. (a) Without regard to the civil-service laws or the Classification Act of 1923, as amended, the Commission is authorized to appoint and prescribe the duties and fix the compensation of a director and such other employees as are necessary in the execution of its functions.

Expenditures.

(b) The Commission may make such expenditures as are necessary to carry out the purposes of this joint resolution, including all necessary traveling expenses and subsistence expenses incurred by the commissioners. All expenditures of the Commission shall be allowed and paid upon presentation of itemized vouchers therefor, approved by the Chairman of the Commission.

Termination.

(c) The Commission shall cease to exist within six months after the date of the expiration of the celebration.

Approved, July 21, 1945.

[CHAPTER 589]

AN ACT

December 28, 1945
[H.R. 4805]
[Public Law 269]
59 Stat. 632

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes.

First Deficiency Appropriation Act, 1946.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥646

* * *

⊥BUREAU OF INDIAN AFFAIRS ⊥647

For payment to certain individual Sioux Indians, their heirs or devisees, in full settlement of their claims against the United States for personal property losses, as authorized by the Act of June 30, 1945 (Public Law 97), including payment of attorney fees and other expenses authorized by said Act, $111,630, to remain available as provided in said Act: *Provided*, That the respective Indian agency superintendents, acting as ex officio guardians, shall have authority to make application for, and to receive, payment of the amounts due the said claimants, their heirs or devisees.

Ante, p. 324.
Sioux Indians, property losses.

Ante, p. 265.

* * *

⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS ⊥655

* * *

⊥JUDGMENTS, UNITED STATES COURT OF CLAIMS ⊥656

SEC. 203. (a) For payment of judgments rendered by the Court of Claims and reported to the Seventy-ninth Congress in Senate Document Numbered 114, and House Document Numbered 357, under the following agencies, namely:

* * *

Interior: Indians, $850;

* * *

Approved, December 28, 1945.

[CHAPTER 596]

AN ACT

To amend section 112 of the Judicial Code to change the times for holding the terms of the District Court for the Eastern District of the State of Washington.

December 28, 1945
[H. R. 3167]

[Public Law 276]
59 Stat. 661

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 112 of the Judicial Code, as amended (U. S. C., 1940 edition, title 28, sec. 193), is amended to read as follows:

Washington judicial districts.
36 Stat. 1128

"SEC. 112. The State of Washington is divided into two districts, to be known as the eastern and western districts of Washington. The eastern district shall include the territory embraced on the first day of July, nineteen hundred and ten, in the counties of Spokane, Stevens, Ferry, Okanogan, Chelan, Grant, Douglas, Lincoln, Adams, and Whitman, with the waters thereof, including all Indian reservations within said counties, which shall constitute the northern division; also the territory embraced on the date last mentioned in the counties of Asotin, Garfield, Columbia, Franklin, Walla Walla, Benton, Klickitat, Kittitas, and Yakima, with the waters thereof, including all Indian reservations within said counties, which shall constitute the southern division of said district. Terms of the district court for the northern division shall be held at Spokane on the first Tuesdays in April and September; for the southern division, at Yakima on the third Tuesday in May and on the second Tuesday in November, and at Walla Walla on the first Tuesdays in June and December. The western district shall include the territory embraced on the first day of July, nineteen hundred and ten, in the counties of Whatcom, Skagit, Snohomish, King, San Juan, Island, Kitsap, Clallam, and Jefferson, with the waters thereof, including all Indian reservations within said counties, which shall constitute the northern division; also the territory embraced on the date last mentioned in the counties of Pierce, Mason, Thurston, Chehalis, Pacific, Lewis, Wahkiakum, Cowlitz, Clarke, and Skamania, with the waters thereof, including all Indian reservations

Eastern district
Northern division.

Southern division.

Terms of district court.

Western district
Northern division.

Southern division.

⊥662
Terms of district court.

within said counties which shall constitute the ⊥southern division of said district. Terms of the district court for the northern division shall be held at Bellingham on the first Tuesdays in April and October; at Seattle on the first Tuesdays in May and November; and for the southern division, at Tacoma on the first Tuesdays in February and July. The clerks of the courts for the eastern and western districts shall maintain an office in charge of himself or a deputy at each place in their respective districts where terms of court are required to be held."

Clerks' offices.

Approved, December 28, 1945.

PUBLIC LAWS OF THE SEVENTY-NINTH CONGRESS, SECOND SESSION, 1946

[CHAPTER 84]

JOINT RESOLUTION

Changing the name of the Shoshone Dam and Reservoir to Buffalo Bill Dam and Reservoir in commemoration of the one hundredth anniversary of the birth of William Frederick Cody, better known as Buffalo Bill.

March 11, 1946
[S. J. Res. 136]

[Public Law 323]
60 Stat. 54

Buffalo Bill Dam and Reservoir, Wyo.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundredth anniversary of the birth on February 26, 1846, of William Frederick Cody, better known as Buffalo Bill, the name of the Shoshone Dam and Reservoir in Park County, Wyoming, is changed effective February 26, 1946, to the "Buffalo Bill Dam and Reservoir".

Approved, March 11, 1946.

[CHAPTER 110]

AN ACT

To change the designation of Custer Battlefield National Cemetery, in the State of Montana to "Custer Battlefield National Monument", and for other purposes.

March 22, 1946
[S. 1185]

[Public Law 332]
60 Stat. 59

Custer Battlefield National Monument, Mont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the area now within the Custer Battlefield National Cemetery, in the State of Montana, shall hereafter be known as the "Custer Battlefield National Monument", under which name this national monument shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Custer Battlefield National Cemetery.

Approved, March 22, 1946.

[CHAPTER 143]

JOINT RESOLUTION

Making additional appropriations for the fiscal year 1946 to pay increased compensation authorized by law to officers and employees of sundry Federal and other agencies.

April 19, 1946
[H. J. Res. 342]

[Public Law 349]
60 Stat. 103

Additional appropriations for increased pay costs, fiscal year 1946.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, namely:

INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1946, to meet increased pay costs authorized by the Acts of June 30, 1945 (Public Law 106), July 6, 1945 (Public Law 134), July 14, 1945 (Public Law 151), and July 21, 1945 (Public Law 158), and other legislation enacted during or applicable to said fiscal year authorizing increases in pay of Government officers and employees, as follows:

59 Stat. 295, 435, 470, 488.
5 U. S. C., Supp. V, § 901 note; 39 U. S. C., Supp. V, §§ 851–876.
Post, pp. 203, 216 *et seq.*, 417.

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥109

* * *

Bureau of Indian Affairs:

Salaries and general expenses:

"Departmental personal services", $115,200;

"Maintaining law and order on Indian reservations", $17,590;

Industrial assistance and advancement:

"Preservation of timber on Indian reservations", $134,500;

"Expenses incidental to the sale of timber (reimbursable)", $26,820;

"Developing agriculture and stock raising among the Indians", $80,000;

"Development of water supply", $6,700;

Irrigation and drainage:

"Construction, repair, and maintenance of irrigation systems (reimbursable)", $20,200;

"Operation and maintenance of the San Carlos project (receipt limitation)", $28,880;

"Improvement, operation, and maintenance of the irrigation and power systems on the Colorado River Indian Reservation (receipt limitation)", $3,030;

"Improvements, maintenance, and operation of the Fort Hall irrigation systems", $5,840;

"Improvements, maintenance, and operation of the Fort Hall irrigation systems (receipt limitation)", $5,760;

"Maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation (reimbursable)", $750;

⊥"Maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation (receipt limitation)", $640; ⊥110

"Maintenance and operation of the several units of the Fort Peck project (reimbursable)", $740;

"Maintenance and operation of the several units of the Fort Peck project (receipt limitation)", $1,400;

"Improvement, maintenance, and operation of the irrigation systems on the Blackfeet Indian Reservation (reimbursable)", $730;

"Improvement, maintenance, and operation of the irrigation systems on the Blackfeet Indian Reservation (receipt limitation)", $1,780;

"Operation and maintenance of the irrigation and power systems on the Flathead Reservation (receipt limitation)", $25,780;

"Improvement, maintenance, and operation of the irrigation systems on the Crow Reservation (reimbursable)", $450;

"Improvement, maintenance, and operation of the irrigation systems on the Crow Reservation (receipt limitation)", $4,360;

"Improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation (receipt limitation)", $490;

"Continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes (reimbursable)", $950;

"Continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes (receipt limitation)", $2,620;
"Operation and maintenance of the Wapato irrigation and drainage systems, Yakima Indian Reservation (receipt limitation)", $26,510;
"Operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation (reimbursable)", $410;
"Operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation (receipt limitation)", $1,200;

Education:
"Support of Indian Schools", $886,700;
"Support and education of Indian pupils at nonreservation boarding schools", $417,300;
"Natives in Alaska", $224,000;

Conservation of health:
"Conservation of health among Indians", $1,988,500;
"Medical relief in Alaska", $102,000;

General support and administration:
"General administration of Indian property", $451,100:
"Reindeer service", $6,770;
"Administration of Indian tribal affairs (tribal funds, $12,333)";
"Support of Klamath Agency, Oregon (tribal funds, $19,525)";
"Support of Menominee Agency and pay of tribal officers, Wisconsin (tribal funds, $3,860)";
60 Stat. 111 "Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds, $27,600)";

* * *

Approved, April 19, 1946.

[CHAPTER 199]

AN ACT

April 23, 1946
[S. 486]
[Public Law 353]
60 Stat. 118

For the acquisition of Indian lands required in connection with the construction, operation, and maintenance of electric transmission lines and other works, Fort Peck project, Montana.

Fort Peck project
Acquisition of Indian lands

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in aid of the construction of the Fort Peck project, there is hereby granted to the United States, subject to the provisions of this Act, such right, title, and interest of the Indians as may be required in and to such tribal and allotted lands as may be designated by the Secretary of the Interior from time to time for the construction, operation, and maintenance of electric transmission lines and other works of the project or for the relocation or reconstruction of properties made necessary by the construction of the project.

Compensation

SEC. 2. As lands or interests in lands are designated from time to time under this Act, the Secretary of the Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation therefor. The amounts due the tribe and the individual allottees or their heirs or devisees shall be paid from funds now or hereafter made available to the Department of the Interior for the Fort Peck project to the superintendent of the appropriate Indian agency, or such other officer as may be designated by the Secretary of

the Interior, for credit on the books of such agency to the accounts of the tribe and the individuals concerned.

Use of deposits.

SEC. 3. Funds deposited to the credit of allottees, their heirs, or devisees may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements, or the relocation of existing improvements or construction of new improvements on the lands so acquired for the allottees or heirs whose lands and improvements are acquired under the provisions of this Act. Lands so acquired shall be held in the same status as those from which the funds were derived, and shall be nontaxable until otherwise provided by Congress.

Status of acquired lands.

Administration.

SEC. 4. The Secretary of the Interior is hereby authorized to perform any and all acts and to prescribe such regulations as he may deem appropriate to carry out the provisions of this Act.

Reversionary provision.

SEC. 5. All designations of Indian lands pursuant to this Act shall be made subject to the condition that in the event any such lands shall no longer be required for the purposes for which they were designated, then the right, title, or interest so acquired in lands so designated shall revert to the United States in trust for the Fort Peck Indian Tribes.

Approved, April 23, 1946.

[CHAPTER 210]

AN ACT

To authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands.

April 24, 1946
[S. 718]
[Public Law 359]
60 Stat. 121

Middle Rio Grande Conservancy District, N. Mex.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of August 27, 1935 (49 Stat. 887), as amended by section 5 of the Act of June 20, 1938 (52 Stat. 779), authorizing the Secretary of the Interior to provide by agreement with the Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, for the payment of operation and maintenance charges on newly reclaimed Pueblo Indian lands and lands purchased by the United States by virtue of the Act of June 7, 1924 (43 Stat. 636), as amended, for certain Pueblo Indians, are hereby extended for an additional period of ten years to 1955.

Approved, April 24, 1946.

[CHAPTER 247]

AN ACT

Making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes.

May 2, 1946
[H. R. 5400]
[Public Law 374]
60 Stat. 160

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes, namely:

War Department Civil Appropriation Act, 1947.
Post, pp. 268, 565, 917.

* * *

⊥167

⊥SEC. 6. No part of the appropriation for the Garrison Reservoir herein contained may be expended for actual construction of the dam itself until the Secretary of War shall have selected and offered, through the Secretary of the Interior, to the Three Affiliated Tribes, land which the Secretary of the Interior approves as comparable in quality and sufficient in area to compensate the said tribes for the land on the Fort Berthold Reservation which shall be inundated by the construction of the Garrison Dam: *Provided further*, That said

Garrison Reservoir, construction.
Ante, p. 163.

Time limit.

selection and offer by the Secretary of War and approval by the Secretary of the Interior shall be consummated before January 1, 1947, after which consummation actual construction of the dam itself may proceed: *And provided further*, That funds appropriated for the construction of said dam may be transferred to the Secretary of the Interior for use by him in acquiring title to the lands thus selected.

Transfer of funds

* * *

Approved, May 2, 1946.

[CHAPTER 263]

May 18, 1946
[H. R. 5890]

[Public Law 384]
60 Stat. 183

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes.

Second Deficiency Appropriation Act, 1946

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations

⊥184

⊥for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥191

⊥DEPARTMENT OF THE INTERIOR

* * *

Bureau of Indian Affairs

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Suppressing forest and range fires: For an additional amount, fiscal year 1946, for "The suppression or emergency prevention of forest

⊥192
59 Stat. 326.

⊥and range fires on or threatening Indian reservations", including the objects specified under this head in the Interior Department Appropriation Act, 1946, $50,000.

59 Stat. 327.

IRRIGATION AND DRAINAGE

San Carlos Project, Ariz.
Post, p. 618

Maintenance, San Carlos irrigation project, Gila River Reservation, Arizona: For an additional amount, fiscal year 1946, for operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $29,000 (operation and maintenance collections) and $23,200 (power revenues), from which total amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U.S.C. § 725c.

Flathead Reservation, Mont.

Maintenance, irrigation systems, Flathead Reservation, Montana: For an additional amount, fiscal year 1946, for operation and maintenance of the irrigation and power systems on the Flathead Reservation, Montana, $12,800 (operation and maintenance collections), from which total amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.

Crow Reservation, Mont.

Improvement and maintenance, irrigation systems, Crow Reservation, Montana (receipt limitation): For an additional amount for improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, fiscal year 1946, $21,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.

Maintenance, irrigation systems, Uintah Reservation, Utah: For an additional amount, fiscal year 1945, for "Continuing operation and maintenance and betterment of the irrigation system. Uncompahgre, Uintah, and White River Utes, Utah", including the objects specified under this head in the Interior Department Appropriation Act, 1945, $3,154.63, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Uintah Reservation, Utah.

58 Stat. 475.

48 Stat. 1227. 31 U.S.C. § 725c.

Maintenance, Wapato irrigation and drainage systems, and so forth, Yakima Reservation, Washington: For an additional amount, fiscal year 1946, for operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $16,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which total amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Yakima Reservation, Wash.

Supra.

The Secretary of the Interior is hereby authorized to transfer from the War Relocation Authority to the Bureau of Indian Affairs, without compensation therefor, equipment, materials, and supplies with an appraised value not exceeding $200,000 from the surplus stores of the Colorado River Relocation Center, located at Poston, Arizona, for use on the Colorado River Indian Reservation, and there is transferred to the Bureau of Indian Affairs, without exchange of funds, such buildings constructed by the War Relocation Authority on the Colorado River and Gila River Indian Reservations as the Secretary of the Interior may determine to be necessary to provide suitable housing for Indian veterans on the Colorado River, Pima, and Papago Indian Reservations, Arizona: *Provided*, That any building materials transferred to the Bureau of Indian Affairs under this authority shall be sold to Indian veterans at such prices and terms as the Secretary of the Interior may determine to be reasonable, and the amounts received shall be paid into the Treasury as miscellaneous receipts.

Transfer of equipment, etc., from WRA.

Sale of building materials to Indian veterans.

[193]

EDUCATION

Indian schools, support: For an additional amount, fiscal year 1946, for "The support of Indian schools not otherwise provided for", including the objects specified under this head in the Interior Department Appropriation Act, 1946, $200,000.

59 Stat. 331.

Indian boarding schools: For additional amounts, fiscal year 1946, for "Support and education of Indian pupils in nonreservation boarding schools", as follows:

Nonreservation boarding schools.

Sherman Institute, Riverside, California, $9,625; and the amount available for the support of Indian pupils is hereby increased from "$150,810" to "$160,435"; and the number of pupils from "four hundred" to "four hundred and twenty-five".

Haskell Institute, Lawrence, Kansas, $28,860; and the amount available for the support of Indian pupils is hereby increased from "$188,300" to "$217,160"; and the number of pupils from "five hundred and twelve" to "five hundred and ninety".

Albuquerque, New Mexico, $11,550; and the amount available for the support of Indian pupils is hereby increased from "$127,905" to "$139,455"; and the number of pupils from "three hundred and forty-five" to "three hundred and seventy-five".

Sequoyah Vocational School, near Tahlequah, Oklahoma, $9,625; and the amount available for the support of Indian pupils is hereby increased from "$104,080" to "$113,705"; and the number of pupils from "three hundred" to "three hundred and twenty-five".

Chemawa, Oregon, $9,625; and the amount available for the support of Indian pupils is hereby increased from "$152,905" to "$162,530"; and

the number of pupils from "four hundred and twenty-five" to "four hundred and fifty".

Flandreau, South Dakota, $23,100; and the amount available for the support of Indian pupils is hereby increased from "$119,475" to "$142,575"; and the number of pupils from "three hundred and fifteen" to "three hundred and seventy-five".

Natives in Alaska: For an additional amount, fiscal year 1946, for "Natives in Alaska", including the objects specified under this head in the Interior Department Appropriation Act, 1946, $125,000, to remain available until June 30, 1947.

59 Stat. 334

GENERAL SUPPORT AND ADMINISTRATION

Expenses of tribal councils or committees thereof (tribal funds): For an additional amount, fiscal year 1946, for "Expenses of tribal councils or committees thereof (tribal funds)", including the objects specified under this head in the Interior Department Appropriation Act, 1946, $15,000, payable from funds on deposit to the credit of the particular tribe interested.

59 Stat. 336.

CONSTRUCTION AND REPAIR

Employee's quarters, Flathead Reservation, Montana: For the construction of a dwelling, including furnishings and equipment, at the ranger station, Polson, Montana, to replace one destroyed by fire, fiscal year 1946, to remain available until June 30, 1947, $8,000.

ROADS AND BRIDGES

Roads, Indian reservations: For an additional amount, fiscal year 1946, for "Construction, improvement, repair, and maintenance of ⊥Indian reservation roads", including the objects specified under this head in the Interior Department Appropriation Act, 1946, $400,000, to remain available until expended.

⊥194
59 Stat. 337.

⊥200 ⊥TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

* * *

⊥201 ⊥JUDGMENTS, UNITED STATES COURT OF CLAIMS

SEC. 203. (a) For payment of judgments rendered by the Court of Claims and reported to the Seventy-ninth Congress in Senate Document Numbered 160, and House Document Numbered 476, under the following agencies, namely:

* * *

⊥202 **⊥Department of the Interior:**

* * *

Indians, $1,808.73;

* * *

Approved, May 18, 1946.

[CHAPTER 279]

May 31, 1946
[S. 1305]
[Public Law 394]
60 Stat. 229

AN ACT

To confer jurisdiction on the State of North Dakota over offenses committed by or against Indians on the Devils Lake Indian Reservation.

Devils Lake Indian Reservation, Jurisdiction over offenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the State of North Dakota over offenses committed by or against Indians on the Devils Lake Indian Reservation in North Dakota to the same extent as its courts have jurisdiction generally over offenses committed within said State outside of Indian reservations: *Provided, however*, That nothing herein contained shall deprive the courts of the United States of jurisdiction over offenses

defined by the laws of the United States committed by or against Indians on said reservation, nor shall anything herein contained deprive any Indian of any protection afforded by Federal law, contract, or treaty against the taxation or alienation of any restricted property.

Approved, May 31, 1946.

[CHAPTER 378]

AN ACT

June 11, 1946
[H. R. 4567]

[Public Law 410]
60 Stat. 255

To amend the Act entitled "An Act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians, or any tribe, or band thereof, may have against the United States, and for other purposes", approved June 28, 1938.

Ute Indians.
Jurisdiction of Court of Claims to hear, etc., claims against U.S.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of June 28, 1938 (52 Stat. 1209, 1211), entitled "An Act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians, or any tribe, or band thereof, may have against the United States, and for other purposes", approved June 28, 1938, be, and the same hereby is, amended so as to read in full as follows:

Attorneys' fees.

"Upon the final determination of any suit, cause, or action instituted hereunder, whether by judgment, compromise, or otherwise, the Court of Claims, in the event of success by any plaintiff, or in the event any claim asserted by any of said bands of Indians shall be compromised or settled without the institution of any suit hereunder, the Secretary ⊥of the Interior shall decree that there shall be paid to the attorney or attorneys employed therein by said plaintiff under contracts negotiated or entered into as provided by existing law, such fees as, based upon a quantum meruit, it or he shall find reasonable. In no case shall the fees decreed by said Court of Claims and/or by the Secretary of the Interior be in excess of the amount stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and in no event to exceed 10 per centum of the amount of the recovery, and shall be paid upon money being appropriated for the benefit of any bands of Ute Indians pursuant to any judgment or settlement hereunder whether distributable thereto or not. In determining the amount of fees payable to the attorney or attorneys the Court of Claims, or the Secretary of the Interior, as the case may be, shall consider all services rendered by such attorney or attorneys, including services rendered before the Members and committees of Congress, any department or commission of the Government, and the courts. The actual expenses of said attorney or attorneys heretofore or hereafter incurred or expended in prosecuting any suit, cause, or action instituted under this Act shall be paid as provided in the contracts approved by the Secretary of the Interior under which such suit, cause, or action is instituted and the tribal funds of the Ute Indians represented in such suit, cause, or action are hereby made available for expenditure for that purpose."

⊥256

Restrictions.

Determination of amount.

Approved, June 11, 1946.

[CHAPTER 460]

AN ACT

June 24, 1946
[H. R. 3843]

[Public Law 428]
60 Stat. 302

To provide for the disposition of tribal funds of the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana.

Indians.
Availability of designated tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of existing law, the tribal funds now on deposit or hereafter placed to the credit of the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana,

Expenditures.

in the United States Treasury, shall be available for such purposes as may be designated by the tribal council of said tribe and approved by the Secretary of the Interior: *Provided*, That any expenditures so designated and approved shall be in accordance with the provisions of the tribal constitution and charter.

Approved, June 24, 1946.

[CHAPTER 467]

June 24, 1946
[S. 1043]
[Public Law 435]
60 Stat. 305

AN ACT

To set aside certain lands in Oklahoma in trust for the Indians of the Kiowa, Comanche, and Apache Indian Reservation.

Indians.
Title to designated lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands are hereby eliminated from the Rainy Mountain School Reserve in Oklahoma and title is hereby vested in the United States in trust for the Indians of the Kiowa, Comanche, and Apache Indian Reservation: South half and northwest quarter of section 13; all of section 14; south half and northeast quarter of section 23; and west half of section 24; township 6 north, range 16 west, of the Indian meridian, Oklahoma, containing one thousand nine hundred and twenty acres.

Approved, June 24, 1946.

[CHAPTER 475]

June 25, 1946
[H. R. 6195]
[Public Law 441]
60 Stat. 308

AN ACT

To amend section 1 of the Act of June 4, 1920 (41 Stat. 751), entitled "An Act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes", as amended by the Act of May 26, 1926 (44 Stat. 658).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of June 4, 1920 (41 Stat. 751), as amended by section 1 of the Act of May 26, 1926 (44 Stat. 658), be further amended by striking out the next to the last sentence of section 1, reading "No lease shall be made for a period longer than five years," and by substituting therefor the following: "No lease of any allotment shall be made for a period longer than five years except that irrigable lands in Indian ownership under the Big Horn unit of the Crow Indian irrigation project may be leased for farming purposes for a period not exceeding ten years. All other provisions of these Acts with respect to the leasing of Crow Indian lands shall continue in effect."

Crow Indian lands.
Leases.

Approved, June 25, 1946.

[CHAPTER 515]

June 28, 1946
[H. R. 1005]
[Public Law 467]
60 Stat. 333

AN ACT

For the relief of the Indians of the Fort Berthold Reservation in North Dakota.

Indians.
Settlement of claims.
Appropriation authorized.
Post, p. 359.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $400,000 in full and final settlement of all claims and demands of the Indians of the Fort Berthold Indian Reservation in North Dakota, composed of the Arickarees, Gros Ventres, and Mandans, which claims are based upon stipulations of an unratified treaty dated July 27, 1866 (Kappler's Laws and Treaties, vol. 2, p. 1052): *Provided*, That the amount when appropriated shall be deposited in the Treasury of the United States to the credit of the Indians of the Fort Berthold Reservation and shall draw interest in accordance with existing laws: *Provided further*, That not to exceed 5 per centum of the amount herein authorized may be used

Deposit of appropriated amount.

Attorneys' fees and expenses.

by the Secretary of the Interior for payment of fees and expenses of attorneys employed under contract approved in accordance with existing law.

Approved, June 28, 1946.

[CHAPTER 516]

AN ACT

June 28, 1946
[H. R. 4983]
[Public Law 408]
60 Stat. 333

To provide for adjustments in connection with the Crow irrigation project, Crow Indian Reservation, Montana.

Crow irrigation project.
Aggregate charge against non-Indian owned lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) notwithstanding any other provisions of law, the aggregate charge for all expenditures which have been made for construction of the Crow irrigation project, Crow Indian Reservation, Montana, exclusive of the Willow Creek storage works, against all non-Indian-owned lands under the Crow irrigation project is hereby fixed at $45,000, which charge shall be the sole charge against these lands. The charge thus fixed shall cover all such expenditures, whatever their source, chargeable against such lands and includes expenditures from reimbursable and gratuity appropriations from the Treasury of the United States, and from moneys of the Crow Tribe whether or not the expenditures of such tribal moneys were specifically approved by the Indians in council.

Pro rata share chargeable to non-Indian-owned lands.

(2) All non-Indian-owned lands under this project shall bear their pro rata share, computed on a per-acre basis, of the total charge fixed by this section, except that against the pro rata share chargeable to any particular tract there first shall be credited payments which have been already made on that tract to meet charges for reimbursable expenditures arising from the construction of such irrigation project. No credit in excess of such pro rata share, computed on a per-acre basis, shall be allowed. No refunds shall be made of amounts paid on any tract in excess of such pro rata share, computed on a per-acre basis. The first lien of the United States shall continue on each non-Indian-owned tract for repayment of the pro rata share, computed ⊥on a per-acre basis, against such tract less any credit allowable under this subsection. The word "tract" as used in this Act shall mean a forty-acre legal subdivision or fraction thereof.

⊥334
"Tract."

Lands declared temporarily nonirrigable.

(3) Where the Secretary of the Interior finds that certain non-Indian-owned lands subject to the pro rata share of the costs dealt with in section 1, as well as Indian-owned lands within the irrigation project, cannot be put to immediate productive use due to a need of proper drainage facilities; need of clearing and leveling; need of additional project construction work; present unfavorable soil conditions which can be corrected at an economic cost, he shall declare such lands temporarily nonirrigable until such time as he shall determine such lands can be put to productive use, and no irrigation project charges shall be assessed against such lands during such periods. Upon application of the landowners the Secretary of the Interior is authorized to eliminate from the project five hundred and four and nine-tenths acres of land located in sections 21, 27, and 28 of township 5 south, range 26 east, and in section 10 of township 1 north, range 33 east, described in the district engineer's report of November 29, 1945, to the Commissioner of Indian Affairs on the conditions of the Crow Indian irrigation project.

Reimbursement for cost of survey.

(4) The cost of the necessary survey to determine the irrigable acreage of the project, made by the land designation committee, whose report was approved by the Secretary of the Interior in 1944, shall be reimbursed in a sum not to exceed $5,000 by the owners of project lands in Indian and non-Indian ownership. Such costs shall be reimbursed by the project landowners over a period not to exceed three

years. During this period each year the per-acre annual operation and maintenance charge shall be increased in amount sufficient to insure the per acre repayment of this cost.

Cancellation of prior obligations.

(5) All obligations arising out of contracts heretofore entered into with the United States for the payment to the United States of construction charges in connection with this project are hereby canceled, and all lands heretofore covered by such contracts shall be subject to the provisions of subsections (1), (2), (3), and (4) of this section.

Releases of claims.

(6) The provisions of this section shall become operative only when the Secretary of the Interior shall determine that the contracts contemplated by section 3 have been entered into, and that the releases required by section 2 have been obtained.

SEC. 2. The Secretary of the Interior shall obtain releases of claims which non-Indians owning lands under the Crow irrigation project may have against the United States on account of the construction of the Crow irrigation project or the assessment or collection of construction or operation and maintenance charges in connection with the project.

Contracts with irrigation districts.

SEC. 3. The Secretary of the Interior may enter into contracts with irrigation districts acting on behalf of all non-Indians owning land under the Crow irrigation project in which the irrigation districts shall agree to pay the charge of $45,000 fixed by subsection (1) of section 1. Such contracts shall provide for the payment of the aforesaid sum on a per-acre basis without interest over a twenty-year period in equal annual installments, credits to be given in the amounts allowable under subsection (2) of said section 1; for the payment by the districts of the proportionate share chargeable to the lands within the districts of the annual cost of operation and maintenance of the project; and for a first lien on the lands within the districts in favor of the United States for the repayment of such construction and operation and maintenance charges.

Little Big Horn River watershed, Willow Creek storage works. 43 USC 1335.

SEC. 4. The Secretary of the Interior may enter into contracts with irrigation districts acting on behalf of all non-Indians owning lands [under the Crow irrigation project on the Little Big Horn River watershed in which the irrigation districts shall agree to repay to the United States the proportionate share chargeable to the non-Indian lands within the districts of the reimbursable cost of construction of the Willow Creek storage works not to exceed $210,726. The contracts with the districts shall provide for delivery by the Secretary or his duly authorized representative to lands within the irrigation districts of the proper share of the waters stored by the Willow Creek storage works, for the repayment of such construction charges on a per-acre basis in equal annual installments over a forty-year period without interest, and for the payment on a per-acre basis of the proportionate share chargeable to the lands within the district of the cost of the annual operation and maintenance of the Willow Creek storage works. The contracts shall provide that the United States shall have no lien on the lands included within the irrigation districts for the repayment of the share of the construction cost of the Willow Creek storage works to be paid by the irrigation districts under the contracts. In the event of the failure of the districts to fulfill their obligations of contracts with the United States before entire repayment of the construction charges shall have been completed under the contract, all unpaid portions of such construction charges shall again become charges against the lands within the districts and the United States shall again have a first lien on the lands for the repayment of such charges remaining unpaid. The contracts may provide that if during any year the operation of the Willow Creek storage works is so affected in any way, except by lack of adequate precipitation, that no delivery of storage waters can be made to lands within the irrigation districts, the

payments by the districts of construction charges shall be suspended, and that upon resumption of operation the payment of annual construction charges shall also be resumed until the total charges fixed by the contracts shall have been paid. If the irrigation districts at any time shall fail to pay the construction or operation and maintenance charges as provided in the contracts, the Secretary of the Interior shall not deliver any stored waters from the Willow Creek storage works to lands within the districts until the districts shall have complied with the provisions of the contracts.

Until such time as the irrigation district or districts shall execute a contract as herein provided for, the lands within said district or districts shall not be liable for either the construciton or operation and maintenance charges of the Willow Creek storage works, nor shall such lands be entitled to any benefits from said storage works, either by the direct use of the stored water or by substituted water, except as authorized by section 8 of this Act.

Little Big Horn River watershed, private ditches.

SEC. 5. The Secretary of the Interior may enter into contracts with non-Indians owning lands on the Little Big Horn River watershed under private ditches which have been constructed prior to the date of approval of this Act, in which, on the same terms and conditions as are contained in the contracts entered into pursuant to section 4, such owners shall agree to the repayment of their proper proportionate share of the reimbursable cost of construction and the cost of operation and maintenance of the Willow Creek storage works, and the Secretary shall agree to deliver water to their ditches. The covenants of each such contract shall run with the land, and the contract shall provide for a first lien in favor of the United States for the repayment of such construction and operation and maintenance charges. Each owner shall be privileged to pay in full at any time his pro rata share of the construction cost. The Secretary shall not enter into any contract pursuant to this section after five years have elapsed from the date of approval of this Act. The Secretary shall also ⊥designate ⊥1336 the Indian lands under private ditches to receive benefits provided for herein. The Indian lands thus designated shall be subject to provisions and conditions of the Act of July 1, 1932 (47 Stat. 564–565). 25 U.S.C. § 386a.

Contract requirements.

SEC. 6. The contracts entered into between the Secretary of the Interior and an irrigation district or districts, or with non-Indians owning land under private ditches, in pursuance to sections 4 and 5, shall provide that the owners of the lands included in such contracts shall agree to pay annually to the United States for a period of five years beginning November 15 next following the date of approval of this Act, $1 per acre for each irrigable acre covered by such contract or contracts, and shall further agree at the end of such five-year period to pay thereafter their proportionate share of the total reimbursable cost of the construction of the Willow Creek storage works in the sum of $210,726. The Secretary of the Interior shall allow full credit to each landowner for all construction cost repayments applicable to the Willow Creek storage works, made to the United States during such five-year period, and on behalf of all payments made pursuant to the temporary public notice of the Secretary of the Interior issued March 1, 1944.

Availability of stored water.

SEC. 7. Water stored in the Willow Creek storage works shall be made available by the Secretary of the Interior only to the following lands on the Little Big Horn River watershed irrigable under irrigation works which have been constructed prior to the date of approval of this Act; Indian-owned lands; non-Indian-owned lands within the irrigation districts referred to in section 4; those non-Indian-owned lands covered by contracts entered into pursuant to section 5, subject, however, to the authority of the Secretary to dispose of the water as provided for in section 8 hereof.

Disposal of uncontracted water; basis.

SEC. 8. Pending the execution of contracts with a district or districts,

and thereafter, the Secretary of the Interior may, in lieu of disposing of the stored water as prescribed in sections 4, 5, and 6 of this Act, dispose of any uncontracted part of the stored water during any year on an acre-foot basis upon such terms and conditions as he shall determine. The Secretary is authorized to fix annual charges to cover the costs of operating and maintaining the storage works and the distribution of the stored water.

Further construction work.

SEC. 9. No further construction work on the Crow Indian Reservation shall be undertaken by the United States without the prior consent of (1) the Crow Tribe, (2) the irrigation district or districts affected, and (3) the Congress of the United States, and without the prior execution of repayment contracts by the non-Indian water users or irrigation district or districts, obligating the non-Indian lands for the payment of their share of such construction costs. The consent of the Crow Tribe shall be obtained by a majority vote of the general council of the tribe expressed at a duly convened meeting: *Provided, however*, That such consents shall not be necessary to construct laterals necessary to irrigate the lands within the Crow Indian irrigation project as now determined and classified as irrigable by the land designation committee report, as approved by the Secretary of the Interior in 1944.

Construction of laterals.

Operation and maintenance assessments.

Ante, p. 334

SEC. 10. Pursuant to the findings of the report referred to in section 1 (3) the sum of $676,891.83 of operation and maintenance assessments against Indian- and non-Indian-owned lands of the project on the water users' ledger is hereby canceled, and the Secretary of the Interior is authorized and directed (1) to credit not to exceed $28,000 on future operation and maintenance assessments against certain lands described in the report; (2) to make refunds not to exceed $3,000 from Crow ⊥project operation and maintenance collections on deposit in the Treasury to cover overpayments made to the project by landowners as provided for in the report; (3) to make refunds not to exceed $40,000 from Crow project operation and maintenance collections to heirs of certain Crow allottees on account of moneys withheld from their estates by the United States and used for the payment of delinquent operation and maintenance assessments; (4) to reform in accordance with the adjustments made by the provisions of this Act any deferment contracts heretofore executed in accordance with the provisions of section 1 of the Act of June 22, 1936 (49 Stat. 1803).

⊥337

25 U. S. C. § 389.

Claims, etc., against Indian owned lands.

SEC. 11. All claims of every description, all costs, charges, and unpaid assessments against lands in Indian ownership under the Crow irrigation project system, arising out of the expenditure of Treasury and tribal moneys for the construction, operation, and maintenance of the Crow irrigation project system, including the Willow Creek storage works, to and including expenditures for the fiscal year 1945, except the proportionate share of the amount authorized in section 1 (4) of this Act, are hereby canceled, and the obligations of the Indians and their lands to repay any part or all of said claims or sums are hereby dissolved: *Provided*, That the Crow Tribe of Indians, by appropriate action of their tribal council, releases the United States and all lands of the irrigation project from any and all claims said tribe may have arising out of the expenditure of tribal moneys by the United States for the construction, operation, and maintenance of said project.

Ante, p. 334

Claims against U. S.

Cancellation of reimbursable costs and charges.

SEC. 12. All costs and charges against lands in non-Indian ownership under the Crow Indian irrigation project system arising out of the expenditure of Treasury and tribal moneys for the construction, operation, and maintenance of the said project system except (1) $210,726, which is the proportionate part of the cost of the Willow Creek storage works chargeable to non-Indian lands; (2) $45,000 as provided for in seciton 1 (1) of this Act; (3) the proportionate share of the non-Indian landowners in the $5,000 expenditure provided for in

Ante, p. 333.

section 1 (4) hereof; and (4) all unpaid operation and maintenance assessments remaining on the water users' ledgers of the Crow project after the adjustments have been made, as recommended in the district engineer's report of November 29, 1945, referred to in section 1 (3) of this Act, which assessments when collected shall be deposited in the Treasury of the United States for the operation and maintenance of the project, are hereby canceled, and the obligations of non-Indians and their lands to repay to the United States or the Crow Tribe any part or all of said sums so canceled are hereby dissolved: *Provided, however*, That this cancellation of reimbursable costs and charges shall not serve to change the present lien status except as provided in section 4 hereof.

Ante, p. 334.

Ante, p. 334.

Restriction.

Ante, p. 334.

SEC. 13. The cancellation of the reimbursable status of all project construction, operation, and maintenance costs and expenditures as herein provided shall be reported in the reimbursable accounts rendered to the Comptroller General of the United States, pursuant to the provisions of the Act of April 4, 1910 (36 Stat. 270), as deductions from the total indebtedness of the project without regard to fiscal years or appropriations from which expenditures were made.

Report of cancellation.

25 U. S. C. ss. 145, 383-385.

Post, p. 867.

SEC. 14. This Act, so far as non-Indian lands are involved, shall cease to be effective when two years have elapsed from the date of its approval unless prior to that time the contracts contemplated in section 3 have been executed and the releases required by section 2 have been obtained: *Provided*, That this limitation shall not apply to the cancellations, adjustments, and application of credits to be entered on the operation and maintenance water users' ledgers not ⊥exceeding $60,300 pursuant to the findings of the report of conditions on the Crow Indian irrigation project herein referred to, which entries shall be made upon approval of this Act.

Time limitation.

Ante, p. 334.

Nonapplicability.

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SEC. 15. The Secretary of the Interior is authorized to prescribe regulations and to perform all acts required for the effectuation of the purposes of this Act.

Authority of Secretary of the Interior.

SEC. 16. All provisions of Acts inconsistent with this Act are hereby superseded to the extent of such inconsistency.

Approved, June 28, 1946.

[CHAPTER 529]

AN ACT

July 1, 1946
[H. R. 6335]

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1947, and for other purposes.

[Public Law 478]
60 Stat. 348

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1947, namely:

Interior Department Appropriation Act, 1947.

Post, pp. 594, 618, 619.

* * *

⊥BUREAU OF INDIAN AFFAIRS

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Salaries and expenses, Bureau of Indian Affairs: For expenses necessary for the general administration of the Bureau of Indian Affairs, including departmental personal services in the District of Columbia and elsewhere; rental of office equipment and the purchase of necessary supplies therefor; purchase of office furniture and equipment in addition to that which may be purchased from the appropriation for contingent expenses of the Department; printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals; $1,064,337.

⊥Salaries and expenses, district offices: For necessary expenses of district offices for the administration and supervision of Indian Service activities, including printing and binding, $950,000.

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Salaries and expenses, reservation administration: For necessary expenses of reservation administration, including the maintenance of law and order among Indians, and pay of employees authorized by continuing or permanent treaty provisions, $3,137,300.

Alaska native service: For expenses necessary to provide for the support, rehabilitation, education, conservation of health, development of resources, and relief of destitution of the natives of Alaska; the repair, rental, and equipment of school, hospital, and other buildings; the purchase or erection of range cabins, the hire, repair, equipment, maintenance, and operation of vessels; and for the administration of the Alaska native service; $3,429,008, to be immediately available, and to remain available until June 30, 1948.

Purchase and transportation of Indian supplies: For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $760,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Maintenance of buildings: For all expenses necessary to maintain buildings in the Indian Service, including the lease, purchase, construction (not to exceed $1,500 for any one building), repair and improvement of buildings; the installation, repair, and improvement of heating, lighting, power, sewerage, and water systems, $815,000.

Education of Indians: For the support and education of Indian pupils in boarding and day schools and for other educational purposes, including educational facilities auhorized by treaty provisions; tuition, care, and other expenses of Indian pupils attending public and private schools; support and education of deaf, dumb, blind, mentally deficient, or physically handicapped; the tuition (which may be paid in advance) and other assistance of Indian pupils attending vocational or higher educational institutions under such regulations as the Secretary may prescribe; printing and binding (including illustrations); the support of an arts and crafts building at Anadarko, Oklahoma, and Indian museums at Rapid City, South Dakota, and Browning, Montana, and on the Fort Apache Reservation, Arizona; $10,000,000, and in addition thereto the unexpended balance of $25,000 for cooperation with the State of Oklahoma for the construction and equipment of an Indian arts and crafts building at Anadarko, Oklahoma, contained in the
59 Stat. 331 Interior Department Appropriation Act, 1946, is continued available for the same purpose during the fiscal year 1947: *Provided*, That
Contracts formal contract shall not be required for payment (which may be made from the date of admission) of tuition and care of Indian pupils.

Conservation of health: For expenses necessary for the conservation of health among Indians, transportation of patients and attendants to and from hospitals and sanitoria; returning to their former homes and interring the remains of deceased patients; clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of travel expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and printing and binding; $6,130,570.

Welfare of Indians: For welfare services, including general support, relief of needy Indians, boarding home care of Indian children,
1355 ⊥institutional care of delinquent children, and payment of per diem, in lieu of subsistence, and other expenses of Indians participating in folk festivals, $488,910: *Provided*, That formal contract shall not be required for payment (which may be made from the date of service) for the care of Indians.

Management, Indian forest and range resources: For the manage-

ment and protection of forest, range, and wildlife resources on Indian reservations and allotments other than the Menominee Indian Reservation, Wisconsin, including the payment of reasonable rewards for information leading to the arrest and conviction of any person or persons setting forest or range fires, or taking or destroying timber, in violation of law on Indian lands; and the establishment of cooperative sustained yield forest units pursuant to the Act of March 29, 1944 (16 U.S.C. 583); $704,728: *Provided*, That the United States shall be reimbursed for expenditures made from this appropriation for expenses incident to the sale of timber to the extent prescribed in regulations promulgated by the Secretary pursuant to the Act of March 1, 1933 (25 U.S.C. 413).

58 Stat. 132.
16 U. S. C., Supp. V, §§ 583–583i.

47 Stat. 1417.

Suppressing forest and range fires: For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, $12,000: *Provided*, That not to exceed $50,000 of appropriations herein made for the Indian Service shall be available upon the approval of the Secretary for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Agriculture and stock raising: For the development of agriculture and stock raising among the Indians, including agricultural experiments and demonstrations and maintenance of a supply of suitable plants or seed for issue to Indians; the operation and maintenance of a sheep breeding station on the Navajo Reservation; the expenses of Indian fairs, including premiums for exhibits; the control and eradication of fever ticks among livestock of Indians under the jurisdiction of the Seminole Agency, Florida; and the development, repair, maintenance, and operation of domestic and stock water facilities, $902,168.

Navajo Reservation, sheep breeding station.

Revolving fund for loans: To increase the revolving loan fund for making loans to individual Indians, Indian associations, and Indian chartered corporations in accordance with sections 10 and 11, of the Act of June 18, 1934 (25 U. S. C. 470 and 471) and the Acts of June 26, 1936 (25 U. S. C. 506), May 1, 1936 (25 U. S. C. 473a), and July 12, 1943 (57 Stat. 459), $925,000, and the authorization of $750,000 for loans from said revolving fund to individual Indians and Indian organizations otherwise ineligible to participate therein is hereby increased to $962,500.

48 Stat. 986.
49 Stat. 1967, 1250.

Suppressing contagious diseases among livestock: The appropriation "Suppressing contagious diseases of livestock on Indian reservations" contained in the Third Supplemental National Defense Appropriation Act, 1942, is hereby continued available until June 30, 1947, for the same purposes, and for suppressing contagious diseases among livestock of Indians under the jurisdiction of the Pima Agency, Arizona.

Reappropriation.

55 Stat. 826.

Acquisition of lands for Indian tribes: For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (25 U. S. C. 465), $350,000: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, Colorado, Montana, New Mexico, Utah, Washington, and Wyoming outside ⊥of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada and Oregon either inside or outside the boundaries of existing Indian reservations: *Provided further*, That the Secretary of the Interior, with the consent in writing of the tribal council representing the Indians of the Kiowa, Comanche, and Apache Reservation, is hereby authorized and directed to sell to the city of Lawton, Oklahoma, for public uses, upon such terms and conditions as he may prescribe, such portions of the school and agency lands as are no longer needed for administrative purposes, located in section 30, of township 2 north, range 11 west, of the Indian meridian, and which

48 Stat. 985.

Restrictions.

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Nevada and Oregon.

Sale of lands.

formed a part of the original Kiowa, Comanche, and Apache Reservation: *And provided further*, That out of the proceeds of any such sale, the sum of $1.25 per acre shall be credited to the general fund of the United States Treasury and the balance shall be deposited in the United States Treasury to the credit of the tribal fund of the Indians of the said Kiowa, Comanche, and Apache Reservation.

Disposition of proceeds of sale.

Redemption of restricted Indian property subject to taxation: The unexpended balance of the appropriation of $25,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for the payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, as authorized by the Act of June 20, 1936 (25 U. S. C. 412a), is hereby continued available for the same purposes until expended.

50 Stat. 573.

49 Stat. 1542

Development of Indian arts and crafts: For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (25 U. S. C., ch. 7A), including expenses of exhibits, not to exceed $2,500 for printing and binding, and other necessary expenses, $30,000, of which not to exceed $12,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $6,500 per annum.

49 Stat. 891
25 U. S. C. §§ 305–305e.

Salary limitation

Irrigation and drainage: For the maintenance, operation, repair, and improvement of irrigation and power systems for Indian reservations and allotments; payment of operation and maintenance assessments on Indian lands and within non-Indian irrigation districts; payment of reclamation charges; purchase of water and water rights; including the purchase or rental of equipment, tools and appliances; drainage and protection of irrigable lands from damage by floods or loss of water rights; and for all other necessary expenses, $1,624,000, of which $294,815 shall be reimbursable in accordance with existing law, and $1,267,078 nonreimbursable but from which latter amount expenditures for any one project or system shall not exceed the aggregate receipts for such project or system covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934: *Provided*, That of the latter sum not to exceed $20,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm.

48 Stat. 1227.
31 U. S. C., § 725c.
Post, p. 895.

Gila River, Ariz.

The unexpended balance of the appropriation contained in the Interior Department Appropriation Act, 1946, for settlement of claims to water rights in the Gila River, Arizona, is hereby continued available for the same purposes until June 30, 1947.

59 Stat. 330

Construction, and so forth, irrigation systems: For the construction, rehabilitation, and improvement of irrigation systems on Indian ⊥reservations; the purchase or rental of equipment, tools, and appliances; the acquisition of rights-of-way; the development of domestic and stock water and water for subsistence gardens; the purchase of water rights, ditches, and lands needed for irrigation purposes; drainage and protection of irrigable lands from damage by floods or loss of water rights; preparation of raw reservation lands for irrigation farming, expenditures for which shall be repayable on a per-acre basis by the lands benefited; as follows:

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Arizona: Colorado River, $350,000; Navajo, Arizona and New Mexico, $47,500; Papago, $19,000; Salt River, $28,500;

California: Mission, $9,500; Sacramento, $14,250;

Colorado: Southern Ute, $14,250;

Montana: Fort Belknap, $5,938; Fort Peck, $42,750;

Nevada: Carson, $14,725; Pyramid Lake, $23,750; Western Shoshone, $26,125;

New Mexico: United Pueblos, $14,250;

Oregon: Warm Springs, $9,500;

Wyoming: Wind River, $19,000;

Miscellaneous garden tracts, $47,500;

For surveys and investigations, $237,500;

In all, $924,038, reimbursable in accordance with law, and to remain available until completion of the projects: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Commissioner of Indian Affairs, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 10 per centum. Interchange of appropriations

Construction, and so forth, buildings and utilities: For the construction, repair, or rehabilitation of Indian Service buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way; purchase of furniture, furnishings, and equipment; private architectural and engineering services, as follows:

Alaska: Schools, hospitals, and quarters, $1,359,700;

Carson, Nevada: Improvements to utilities, $15,000;

Cheyenne and Arapaho, Oklahoma: School dormitory, $10,000; improvements to utilities, $30,000;

Colville, Washington: Remodeling employees quarters, $7,500;

Crow, Montana: Improvements to utilities, $9,000;

Crow Creek, South Dakota: Quarters, $7,000; improvements to utilities, $7,000;

Fort Apache, Arizona: For the purpose of cooperating with McNary school district, Apache County, Arizona, for the construction and improvement of public-school buildings, for which the Indian Service may furnish plans, $25,000: *Provided*, That the expenditure of any money so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all Indian children of the school district on the same terms as other children of said school district: *Provided further*, That the amount expended on this project shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the project, by the acceptance of Indian pupils in this school without cost to the United States; and, in computing the amount of recoupment of the project, interest at 3 per centum per annum shall be included on unrecouped balances: *Provided further*, That with the consent of the Tribal Council of the White Mountain Apache Tribe of the Fort Apache Indian Reservation, Arizona, the Secretary may set aside tribal land at McNary, Arizona, as a school reserve so long as such land is needed for school purposes. Condition. Recoupment. School reserve.

Fort Belknap, Montana: Improvements to utilities, $51,500;

Hoopa Valley, California: Improvements to utilities, $30,000;

‡Kayenta, Arizona: Repair, improvement, and equipment of hospital building, $30,000; ‡ Asterisk

Kiowa, Oklahoma: Schools, dormitories, and utilities, $118,000;

Klamath, Oregon: Improvements to utilities, $20,000;

Menominee, Wisconsin: Improvements to utilities, $46,000;

Mescalero, New Mexico: Improvements to utilities, $16,000; quarters, $8,500;

Navajo, Arizona and New Mexico: Quarters, $100,000; improvements to utilities, $2,500; Shiprock dormitories and utilities, $318,600; Toadlena School expansion, $500,000;

Sells, Arizona: Quarters, $30,000;

Shawnee Sanatorium, Oklahoma: Improvements to utilities, $18,000;

Truxton Canyon, Arizona: School, $8,000;

Uintah and Ouray, Utah: Quarters, $22,500; improvements to utilities, $12,000;

Umatilla, Oregon: Improvements to utilities, $5,000;
Wahpeton School, North Dakota: Improvements to utilities, $17,000;
Wind River, Wyoming: Improvements to utilities, $93,000;
Winnebago, Nebraska: Improvements to utilities, $7,000;

For surveys and plans and administrative expenses, including personal services in the District of Columbia, printing and binding, and purchase of periodicals and books of reference, $100,000;

Transfer of authorization

In all, $3,023,800, to remain available until completion of the projects: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer.

Roads, Indian reservations: For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Act of May 26, 1928 (25 U. S. C. 318a) and the Act of December 20, 1944 (Public Law 521), $3,700,000, to remain available until expended, of which amount not to exceed $9,000 may be expended for departmental personal services.

45 Stat. 750.
58 Stat. 838.

Highway, Gallup-Shiprock, Navajo Reservation: For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, and that portion of the State highway in New Mexico between Gallup, New Mexico, and Window Rock, Arizona, serving the Navajo Reservation, $20,000, reimbursable, as authorized by the Act of May 28, 1941 (55 Stat. 207).

Senecas, N. Y.

Fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Six Nations, N. Y.
7 Stat. 46.

Fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla.

Fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

7 Stat. 99.
11 Stat. 614.
7 Stat. 213.
7 Stat. 212, 236.
7 Stat. 235.

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Pawnees, Okla.
11 Stat. 729; 27 Stat. 644.

Fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Payment to Indians of Sioux Reservation: For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $150,000.

Payment of interest on Indian trust funds: For payment of accrued and accruing interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $1,114,000.

Fort Berthold Indian Reservation, N. Dak.
Ante, p. 333.

For full and final settlement of all claims and demands of the Indians of the Fort Berthold Indian Reservation in North Dakota in accordance with the provisions of H. R. 1095, Seventy-ninth Congress, $400,000: *Provided*, That not to exceed 5 per centum of the amount herein appropriated may be used for payment of fees and expenses of attorneys employed under contract approved in accordance with existing law.

MISCELLANEOUS INDIAN TRIBAL FUNDS

Administration of Indian tribal affairs (tribal funds): For expenses

of administering the affairs and property of Indian tribes, including pay and travel expenses, $278,170, payable from funds held by the United States in trust for the particular tribe benefited; not to exceed $50,000 for any one tribe. Travel expenses

Administration of tribal affairs, Blackfeet Indians, Montana (tribal funds): For general support of Indians and administration of Indian property of the Blackfeet Indians, Montana, including the purchase of land, title to which shall be taken in the name of the United States in trust for the Blackfeet Indians, $100,000, payable from funds held by the United States in trust for the Blackfeet Tribe of Indians. Blackfeet Indians, Mont.

Administration of tribal affairs, Seneca Nation of New York (tribal funds): For salary of a clerk and expenses incident to administering the leasing work of the Seneca Nation of New York, payable from funds deposited into the United States Treasury pursuant to the Act of February 28, 1901 (31 Stat. 819), $2,500. Seneca Nation, N. Y.

Support of Klamath Agency, Oregon (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Klamath Agency, payable from funds held by the United States in trust for the Klamath Tribe of Indians, Oregon, $118,000, of which not to exceed $4,500 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary, and for relief, including cash grants. Klamath Agency, Oreg.

Support of Menominee Agency and pay of tribal officers, Wisconsin (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Menominee Agency, Wisconsin, payable from funds held by the United States in trust for the Menominee Tribe of Indians, Wisconsin, $129,500, including $30,000 for relief of Indians in need of assistance, including cash grants; scholarships (not to exceed $1,000); and $5,200 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary: *Provided*, That not to exceed $10,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee advisory council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs. Menominee Agency, Wis.

⊥ Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of the superintendent of the agency and of necessary employees, and pay of tribal officers, including the employment of a tribal attorney at the rate of $4,500 per annum to be appointed with the approval of the Osage Tribal Council under a contract to be entered into between said tribal attorney and the Osage Tribal Council, which contract shall be approved by the Secretary of the Interior; not to exceed $1,500 for the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, travel expenses, printing, telegraphing and telephoning, and repair and operation of automobiles, $200,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That of the said sum herein appropriated $7,500 is hereby made available for travel and other expenses of members of the Osage Tribal Council, business committees, or other tribal organizations, when engaged on business of the tribe, including supplies and equipment, not to exceed $6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use 1360 Osage Agency, Okla. Travel, etc., expenses.

of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Flathead Indian Reservation, Mont.

Development of Hot Springs enterprise, Confederated Salish and Kootennai Tribes, Montana (tribal funds): For all expenses necessary for the development of a health resort on the Flathead Indian Reservation at Hot Springs, Montana, including the construction of buildings, and the payment of private architectural and engineering fees, $350,000, to remain available until expended, payable from funds held by the United States in trust for the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

Five Civilized Tribes, Okla.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, and for salaries and contingent expenses of the governor of the Chicasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries of $3,000 each for the said governor, said chief, and said mining trustee, chief of the Creek Nation at $1,200 and one attorney each for the Choctaw and Chicasaw Tribes employed under contract approved by the President under existing law: *Provided,* That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each, except that $1,000 additional may be expended for the purchase of one passenger automobile for the use of the chief of the Choctaw Nation.

Expense limitation

Purchase of automobile

Monument at grave of late Governor Douglas Johnston, Chickasaw Nation (tribal funds): For the purchase and erection of a monument at the grave of the late Governor Douglas Johnston, $750, payable from funds on deposit to the credit of the Chickasaw Tribe of Oklahoma.

Expenses of tribal councils or committees thereof (tribal funds): For travel and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs, except ⊥that the Shoshone and Arapahoe Tribes of Wyoming may not exceed $8 per diem and when in the District of Columbia or Chicago, Illinois, $10 per diem as heretofore provided, $25,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided,* That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in the District of Columbia or Chicago, Illinois, for more than an eight-day period, unless the Secretary shall in writing approve a longer period.

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Restriction

Relief of needy Indians (tribal funds): For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $75,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided,* That expenditures hereunder may be made without regard to section 3709, Revised Statutes, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

41 U. S. C. § 5
Post, p. 809.
18 U. S. C. §§ 744a–744h

Compensation and expenses of attorneys (tribal funds): For compensation and expenses of attorneys employed by various tribes of Indians under contracts to be approved by the Secretary of the Interior, $22,980, payable from funds on deposit in the United States Treasury to the credit of the particular Indian tribe concerned.

Indians of California

That there is hereby appropriated out of funds in the Treasury of the United States to the credit of the Indians of California, the sum of

$10,000, to remain available until expended, to be used to pay attorneys for the said Indians for services or expenses incurred under and in accordance with any contract of employment which may be approved by the Secretary of the Interior.

Purchase and lease of lands (tribal funds): For the purchase of land and improvements on land; lease of lands and water rights; and necessary expenses incident thereto, $304,000, payable from funds held in trust for the particular tribe concerned, to remain available until expended: *Provided*, That title to any lands or improvements so purchased shall be taken in the name of the United States in trust for the tribe for which purchased: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada and Oregon either inside or outside the boundaries of existing Indian reservations.

Restriction.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of land, seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $326,375, payable from tribal funds as follows: Northern Idaho, Idaho, $50,000; Kiowa Agency (Apache, Kiowa, and Comanche Indians) for loans to veterans at not to exceed $2,500 each upon approval of the tribal council, $50,000; Flandreau, South Dakota, $1,375; Yakima, Washington, $100,000; Colorado River, Arizona, $12,000; Hoopa Valley, California, $3,000; Colville, Washington, $50,000; Menominee, Wisconsin, $60,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1946 are hereby continued available during the fiscal year 1947 for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youth to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other ⊥institutions, and advances so made shall be reimbursed in not to exceed eight years under such regulations as the Secretary may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1947 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary: *Provided further*, That enterprises operated under the authority contained in the foregoing proviso shall be governed by the regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Funds continued available.

59 Stat. 326.

Educational loans.

⊥362

Availability of funds.

Tribal enterprises.

Regulations.

48 Stat. 986.

Advances.

Pima cropping operations (tribal funds): For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed $200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Suppressing forest and range fires (tribal funds): For the suppres-

sion or emergency prevention of forest and range fires on or threatening Indian reservations, $25,000, payable from funds held by the United States in trust for the respective tribes interested.

Support of Indian schools (tribal funds): For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf, dumb or blind, physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U.S.C. 155), not more than $410,000: *Provided*, That formal contracts shall not be required for payment (which may be made from the date of admission) of such tuition and care of Indian pupils.

44 Stat. 560.

Contracts

Alaska.
Transfer of Sitka naval base, etc.

The Secretary of the Navy and the Secretary of War are hereby authorized to transfer to the Secretary of the Interior for the use of the Bureau of Indian Affairs, without compensation therefor, the entire Sitka naval base on Japonski Island and the entire Army installations on the adjacent Charcoal and Alice Islands, located in Alaska, including the land, buildings, and utilities, with the drawings, pertaining thereto, and all materials and equipment on both installations, and in addition, the said Secretaries and the War Assets Administrator are authorized to transfer to the Department of the Interior for the use of the Bureau of Indian Affairs, without compensation therefor, any other surplus materials, supplies, and equipment needed to equip and operate these facilities for school and hospital purposes.

Vehicles, Indian Service: Not to exceed $450,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school ⊥pupils, and applicable appropriations may be used for the purchase of not to exceed two hundred motor-propelled passenger-carrying vehicles, and such vehicles may be used for the transportation of Indian school pupils.

⊥363

Replacement of property destroyed by fire, flood, or storm: To meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for education of Indians, maintenance of buildings, reservation administration, the Alaska native service, and conservation of health among Indians shall be available, upon approval of the Secretary, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Supplies, etc

Appropriations herein made for reservation administration, education of Indians, and conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Indian Service.

Transfer of surplus property.

The Bureau of Indian Affairs is hereby authorized to acquire by transfer without exchange of funds (for three years beginning July 1, 1946), from the War Department, the Navy Department, the Department of Agriculture, or the War Assets Administration, equipment, materials, and supplies of all kinds, with an appraised value of not to exceed $6,300,000 from the surplus stores of these agencies, for use in the schools, hospitals, and agencies, or by any operating division of the

Bureau of Indian Affairs in the United States and Alaska: *Provided*, That the authorization in this paragraph for transfer of surplus property to the Bureau of Indian Affairs shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946. Veterans' priority

Appropriations herein made for the Indian Service shall be available for travel expenses; the purchase of ice, and the purchase of rubber boots for official use of employees. *Ante*, p. 168. Travel expenses, etc.

The following appropriations herein made for the Indian Service shall be available for hire, maintenance, and operation of aircraft: "Management, Indian forests and range resources"; "Suppressing forest and range fires on Indian reservations"; "Alaska native service"; and "Salaries and expenses, reservation administration". Aircraft

⊥NATIONAL PARK SERVICE ⊥376

* * *

⊥Roads and trails, National Park Service: For the construction, reconstruction, improvement, and maintenance of roads and trails, inclusive of approach roads and necessary bridges, as authorized by section 10a of the Act of December 20, 1944 (Public Law 521), including necessary access roads for development and use of the recreational resources of Lake Texoma recreational area, Texas and Oklahoma, and the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary: ⊥377

* * *

⊥FISH AND WILDLIFE SERVICE ⊥378

SALARIES AND EXPENSES

For salaries and expenses, including traveling expenses, necessary in conducting investigations and carrying out the work of the Service, ⊥including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows: ⊥379

* * *

Operation and maintenance of fish screens: For operation and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission, $32,375.

* * *

Alaska fisheries: For protecting the seal, sea otter, and other fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; construction, improvement, repair, and alteration of buildings and roads, and subsistence of employees while on said islands; and contract stenographic reporting service, $819,307, of which $100,000 shall be available immediately.

* * *

⊥SEC. 8. Appropriations herein made shall be available for the purchase and exchange of lawbooks, books of reference, and periodicals, and for expenses incurred in completing broken sets, for use at the seat of government, and payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members: *Provided*, That expendi- ⊥386. Purchase of lawbooks, etc. Limitations.

tures for the foregoing purposes for the following bureaus and offices shall not exceed the following amounts: Office of the Secretary, $7,000; Oil and Gas Division, $350; Division of Geography, $600; Grazing Service (including headquarters at Salt Lake City), $625; General Land Office, $1,000; Bureau of Indian Affairs (including headquarters at Chicago), $500; Bureau of Reclamation, $2,500; Geological Survey, $6,000; Bureau of Mines, $2,500; National Park Service (including headquarters at Chicago), $2,500; and Soil and Moisture Conservation Operations (all bureaus), $1,000.

* * *

Approved, July 1, 1946.

[CHAPTER 530]

AN ACT

July 1, 1946
[H. R. 6429]

Making appropriations for the Legislative Branch for the fiscal year ending June 30, 1947, and for other purposes.

[Public Law 479]
60 Stat. 386

Legislative Branch Appropriation Act, 1947

Ante, pp. 262, 263; *post*, pp. 600-603, 911, 912.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending June 30, 1947, namely:

Post, p. 911.

SENATE

* * *

⊥387 ⊥COMMITTEE EMPLOYEES

Clerks and messengers to the following committees:

* * *

⊥388 ⊥Indian Affairs—clerk, $3,900; assistant clerk, $3,600 and $1,400 additional so long as the position is held by the present incumbent; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800.

* * *

⊥393 ⊥HOUSE OF REPRESENTATIVES

* * *

⊥394 ⊥COMMITTEE EMPLOYEES

Clerks, messengers, and janitors to the following committees:

* * *

Indian Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260.

* * *

Approved, July 1, 1946.

[CHAPTER 544]

AN ACT

July 5, 1946
[H. R. 6056]

Making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1947, and for other purposes.

[Public Law 490]
60 Stat. 446

Departments of State, Justice, Commerce, and the Judiciary Appropriation Act, 1947

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1947, namely:

TITLE I—DEPARTMENT OF STATE

* * *

Department of State Appropriation Act, 1947

Post, pp. 594, 620, 621, 916, 999.

⊥453 ⊥INTERNATIONAL OBLIGATIONS

Post, p. 621.

United States contributions to international commissions, con-

gresses, and bureaus: For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts as follows:

* * *

Inter-American Indian Institute, $4,800:

* * *

... in all, $3,104,631, together with such additional sums, due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

Additional sums due to increased rates of exchange.

* * *

Approved, July 5, 1946.

[CHAPTER 591]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1947, and for other purposes.

July 23, 1946
[H. R. 6885]
[Public Law 521]
60 Stat. 600

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

Third Deficiency Appropriation Act, 1946

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥618

* * *

Bureau of Indian Affairs

IRRIGATION AND DRAINAGE

Maintenance, San Carlos irrigation project, Gila River Reservation, Arizona: For an additional amount, fiscal year 1946, for operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $50,000 (power revenues), from which total amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Ante, p. 192.
59 Stat. 328.

48 Stat. 1227.
31 U. S. C. § 725c.
Post, p. 895.

* * *

Approved, July 23, 1946.

[CHAPTER 701]

AN ACT

Conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in any and all claims which the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana, or any tribe or band thereof, may have against the United States, and for other purposes.

July 30, 1946
[H. R. 6983]
[Public Law 566]
60 Stat. 715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims, subject to review by the

Confederated Salish and Kootenai Tribes of Indians.

Claims.

Supreme Court of the United States on writ of certiorari as in other cases, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims of whatsoever nature which the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation of Montana, or any tribe or band thereof, may have against the United States.

Presentation of claims.

SEC. 2. That suit or suits under this Act may be instituted by the Confederated Salish and Kootenai Tribes of Indians, or any tribe or band thereof, either separately or jointly, as party or parties plaintiff, against the United States as party defendant, by filing within five years after the approval of this Act a petition or petitions in the Court of Claims and serving with respect to each suit a copy thereof on the Attorney General of the United States, who, either in person or by some attorney from the Department of Justice to be designated by him, shall appear and defend the interests of the United States. Such petition or petitions shall set forth the facts upon which the claim or claims for recovery is or are based and shall be verified by the attorney or attorneys employed by said Indians, under contract approved in accordance with existing law, to prosecute said claims, which may be made upon information and belief, and no other verification shall be necessary. The petition or petitions shall be subject to amendment at any time prior to final submission of the case to the Court of Claims. Such petition or petitions may, in addition to alleging specific claims, demand a general accounting of all funds and property expended or used by the United States for the account of said Indians, in which event the General Accounting Office shall within a reasonable time from date of filing said petition or petitions make a complete audit of said accounts, and, in addition to the usual copies furnished the Attorney General, shall furnish a copy thereof to the attorney or attorneys for said Indians; and the court, after full hearing, shall state the account and render judgment in accordance therewith.

Time limitation for filing petition.

Amendments to petition

Audit of accounts

Settlement, etc., of rights of Indians

SEC. 3. That at the trial of any suit instituted hereunder the court shall settle and determine the rights therein, both legal and equitable, of said Indians against the United States, notwithstanding lapse of time or statutes of limitation. In the determination of the validity of any claim asserted or defense interposed hereunder, the court shall have the full power and authority of a court of equity.

Joining of other Indians to suit

SEC. 4. That the court shall have authority, by proper orders and process, to make parties to any suit or suits instituted hereunder any other tribe, band, or group of Indians deemed by it necessary or proper to a final determination of the matters in controversy.

Use of documents, etc., as evidence

SEC. 5. That in any suit instituted hereunder any letter, paper, document, map, or record in the possession of any officer or department of the United States (or certified copies thereof) may be used in evidence, and the departments of the Government of the United States shall give full and free access to the attorney or attorneys for said Indians to such letters, papers, documents, maps, or records as may be useful to said attorney or attorneys in the preparation for trial or trials of such suit or suits.

⊥716

Set-offs, etc

⊥SEC. 6. That no payment or payments which have been made by the United States upon any claim or claims asserted in any suit brought hereunder, or expended for any of the said Indians, shall operate as an estoppel against any suit brought hereunder, but there shall be set off against any recovery obtained by said Indians hereunder any payment made by the United States on any claim asserted by said Indians, together with such gratuity expenditures as are directed to be set off by the Act of Congress, approved August 12, 1935 (49 Stat. 596): *Provided*, That no moneys expended for the benefit of said Indians under the Wheeler-Howard Act, approved June 18, 1934 (48 Stat. 984), shall be applicable as set-offs.

25 U. S. C. § 475a

25 U. S. C. §§ 461–479

Attorneys' fees.

SEC. 7. That upon the final determination of any suit or suits instituted hereunder, the Court of Claims, in the event of judgment for said Indians shall determine such fees or compensation to be paid the attorney or attorneys as said court shall find reasonable or equitable, and in addition thereto such actual and necessary expenses as shall have been incurred by the attorney or attorneys in the prosecution of said claims. In no case shall the fees or compensation decreed by said Court of Claims be in excess of the amount stipulated in the contract or contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and in no event to exceed 10 per centum of the amount of the recovery, and shall be paid out of any money appropriated by Congress for the benefit of said Indians pursuant to any judgment hereunder.

Deposit of amounts recovered to credit of Indians.

SEC. 8. That the amount of any judgment recovered for said Indians, less attorneys' fees and expenses, shall be placed to the credit of said Indians in the Treasury of the United States and shall draw interest at the rate of 4 per centum per annum from date of judgment and shall thereafter be subject to appropriation by Congress and used for the benefit of said Indians, including, but without limitations, the purchase of lands, livestock, farming implements, erection of buildings and improvements, and for productive enterprises, with the approval of the Secretary of the Interior and the consent of said Indians.

Approved, July 30, 1946.

[CHAPTER 753]

AN ACT

August 2, 1946
[S. 2177]
[Public Law 601]
60 Stat. 812

To provide for increased efficiency in the legislative branch of the Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Legislative Reorganization Act of 1946.
Post, pp. 911, 912.

That (a) this Act, divided into titles and sections according to the following table of contents, may be cited as the "Legislative Reorganization Act of 1946":

* * *

⊥TITLE I—CHANGES IN RULES OF SENATE AND HOUSE ⊥814

* * *

PART 1—STANDING RULES OF THE SENATE

STANDING COMMITTEES OF THE SENATE

SEC. 102. Rule XXV of the Standing Rules of the Senate is amended to read as follows:

* * *

⊥"RULE XXV ⊥815

"STANDING COMMITTEES

"(1) The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

* * *

⊥819
Committee on Public Lands.

⊥"(m) Committee on Public Lands, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

* * *

"15. Relations of the United States with the Indians and the Indian tribes.

"16. Measures relating to the care, education, and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.

* * *

1822 ⊥PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

* * *

1823 ⊥"RULE XI

"POWERS AND DUTIES OF COMMITTEES

"(1) All proposed legislation, messages, petitions, memorials, and other matters relating to the subjects listed under the standing committees named below shall be referred to such committees, respectively: *Provided,* That unless otherwise provided herein, any matter within the jurisdiction of a standing committee prior to January 2, 1947, shall remain subject to the jurisdiction of that committee or of the consolidated committee succeeding generally to the jurisdiction of that committee.

* * *

1827 ⊥"(n) Committee on Public Lands.

* * *

1828 ⊥"15. Relations of the United States with the Indians and the Indian tribes.

"16. Measures relating to the care, education, and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.

* * *

Approved, August 2, 1946.

[CHAPTER 754]

AN ACT

August 2, 1946
[S. 1235]
[Public Law 602]
60 Stat. 852

To authorize the use of the funds of any tribe of Indians for insurance premiums.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the use of the funds of any tribe of Indians for payments of insurance premiums for protection of the property of the tribe against fire, theft, tornado, and hail", approved April 13, 1926 (44 Stat. 242), is amended to read as follows:

25 U.S.C. § 123a

Indian funds.
Use for insurance premiums.

"That hereafter the funds of any tribe of Indians under the control of the United States may be used for payments of insurance premiums for protection of the property of the tribe against fire, theft, tornado, hail, earthquake, or other elements and forces of nature, and for protection against liability on account of injuries or damages to persons or property and other like claims."

Approved, August 2, 1946.

[CHAPTER 770]

AN ACT

August 7, 1946
[H. R. 2504]
[Public Law 615]
60 Stat. 866

To discontinue certain reports now required by law.

Discontinuance of certain reports.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following reports or statements now required by law are hereby discontinued, and all Acts or parts of Acts herein cited as requiring the submission

Repeals.

of such reports or statements are hereby repealed to the extent of such requirement:

* * *

⊥REPORTS UNDER THE DEPARTMENT OF THE INTERIOR ⊥867

* * *

11. Statement showing amount expended from the appropriation "Mineral leasing (year), Geological Survey", for the benefit of Indian tribes and Indian allottees (44 Stat. 487). 43 U. S. C. § 47.

* * *

Approved, August 7, 1946.

[CHAPTER 788]

AN ACT

August 7, 1946
[H. R. 6629]
[Public Law 633]
60 Stat. 885

To provide basic authority for the performance of certain functions and activities of the National Park Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That appropriations for the National Park Service are authorized for—

National Park Service.
Appropriations authorized.

(a) Necessary protection of the area of federally owned land in the custody of the National Park Service known as the Ocean Strip and Queets Corridor, adjacent to Olympic National Park, Washington; necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of Glacier National Park, Montana, and the international boundary:

Roads.

* * *

Approved, August 7, 1946.

[CHAPTER 802]

AN ACT

August 7, 1946
[S. 115]
[Public Law 647]
60 Stat. 895

To modify sections 4 and 20 of the Permanent Appropriation Repeal Act, 1934, with reference to certain funds collected in connection with the operation of Indian Service irrigation projects, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on approval of this Act, collections made from water users on each Indian irrigation project on account of assessments levied to meet the cost of operating and maintaining such project shall be deposited into the Treasury for credit to a trust-fund account pursuant to section 20 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1233), and shall be available for expenditure in carrying out the purposes for which collected.

Indian irrigation projects.
Collections from water users.

31 U. S. C. § 725s.
Supp. V, § 725s.

SEC. 2. There shall be credited to each trust-fund account so established the excess, if any, of (1) the unexpended balance of any repealed special fund appropriation to which operation and maintenance collections were credited prior to July 1, 1935, and (2) the amount of receipts covered into the Treasury pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1227), over expenditures from appropriations provided for the operation and maintenance of the irrigation project from which such unexpended balance or receipts were derived, and the amount so credited shall be subject to expenditure as prescribed in section 1 hereof.

Credits to trust-fund accounts.

31 U. S. C. § 725c.

SEC. 3. Revenues hereafter collected from power operations on each Indian irrigation project and deposited into the Treasury for credit to miscellaneous receipts pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1227), or pursuant to other provisions of law, are hereby authorized to be appropriated annually, in specific or in indefinite amounts, equal to the collections so credited, for the following purposes in connection with the respective projects from which such revenues are derived: (1) Payment of the expenses

Collections from power operations.
Appropriations authorized.

Supra.

of operating and maintaining the power system; (2) creation and maintenance of reserve funds to be available for making repairs and replacements to, defraying emergency expenses for, and insuring continuous operation of the power system, the fund for each project to be maintained at such level, within limits set by the Director of the Bureau of the Budget, as may from time to time be prescribed by the Secretary of the Interior; (3) amortization, in accordance with ⊥the repayment provisions of the applicable statutes or contracts, of construction costs allocated to be returned from power revenues; and (4) payment of other expenses and obligations chargeable to power revenues to the extent required or permitted by law.

⊥896

Approved, August 7, 1946.

[CHAPTER 874]

AN ACT

August 8, 1946
[H. R. 6141]

[Public Law 667]
60 Stat. 923

To provide funds for cooperation with the school board of Hunter School District for the construction and equipment of a new school building in the town of Hunter, Sawyer County, Wisconsin, to be available to both Indian and non-Indian children.

Hunter, Wis.
Appropriation authorized for school building

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $80,000 for the purpose of cooperating with the school board of Hunter School District, Sawyer County, Wisconsin, for the construction and equipment of a new school building in the town of Hunter, Sawyer County, Wisconsin: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the school maintained by the said district in the said building shall be available to all Indian children of the district on the same terms, except as to payment of tuition, as other children of said school district: *And provided further*, That any amount expended hereunder shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the building, through reducing the annual Federal payments for the education of Indian pupils enrolled in public or high schools of the district involved or by the acceptance of Indian pupils in said schools without cost to the United States, and in computing the amount of recoupment, interest at 3 per centum per annum shall be included on any unrecouped balances.

Availability to Indian children

Recoupment

Approved, August 8, 1946.

[CHAPTER 907]

AN ACT

August 8, 1946
[H. R. 4386]

[Public Law 687]
60 Stat. 939

To facilitate and simplify the administration of Indian affairs.

Commissioner of Indian Affairs
Delegation of powers and duties

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of facilitating and simplifying the administration of the laws governing Indian affairs, the Secretary of the Interior is hereby authorized to delegate, from time to time, and to the extent and under such regulations as he deems proper, his powers and duties under said laws to the Commissioner of Indian Affairs, insofar as such powers and duties relate to action in individual cases arising under general regulations promulgated by the Secretary of the Interior pursuant to law. Subject to the supervision and direction of the Secretary, the Commissioner is hereby authorized to delegate, in like manner, any powers and duties so delegated to him by the Secretary, or vested in him by law, to the assistant commissioners, or the officer in charge of any branch, division, office, or agency of the Bureau of Indian Affairs, insofar as such powers and duties relate to action in individual cases arising under general regulations promulgated by the Secretary of the Interior or the Commissioner of Indian Affairs pursuant to law. Such

delegated powers shall be exercised subject to appeal to the Secretary, under regulations to be prescribed by him, or, as from time to time determined by him, to the Under Secretary or to an Assistant Secretary of the Department of the Interior, or to the Commissioner of Indian Affairs. The Secretary or the Commissioner, as the case may be, may at any time revoke the whole or any part of a delegation made pursuant to this Act, but no such revocation shall be given retroactive effect. Nothing in this Act shall be deemed to abrogate or curtail any authority to make delegations conferred by any other provision of law, nor shall anything in this Act be deemed to convey authority to delegate any power to issue regulations.

Revocation.

Approved, August 8, 1946.

[CHAPTER 917]

AN ACT

August 8, 1946
[S. 2085]

[Public Law 697]
60 Stat. 958

To amend title V of the Act entitled "An Act to expedite the provision of housing in connection with the national defense, and for other purposes", approved October 14, 1940, as amended, to authorize the Federal Works Administrator to provide needed educational facilities, other than housing, to educational institutions furnishing courses of training or education to persons under title II of the Servicemen's Readjustment Act of 1944, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * *

SEC. 2. Title V of such Act, as amended, is amended by adding at the end thereof the following new section:

59 Stat. 260
42 U. S. C., Supp. V, §§ 1571–1573.
Ante, p. 85; *supra*.
Use or reuse of structures, etc.

"SEC. 504. (a) At any educational institution including any educational facility operated by the Indian Service where the Commissioner of Education shall find that there exists or impends an acute shortage of educational facilities, other than housing, required for persons engaged in the pursuit of courses of training or education under title [II of the Servicemen's Readjustment Act of 1944, as amended, the Federal Works Administrator is authorized, upon request of such educational institution, to provide such educational facilities (1) by the use or reuse (including disassembling, transporting, and reerecting) of structures or facilities (including improvements, equipments, materials, or furnishings but not including site acquisition and preparation or the installation of streets and utility mains) under the jurisdiction or control of any Federal agency which are no longer required by such agency and which, in the determination of said Administrator can be utilized to provide the needed educational facilities and which, in the determination of the War Assets Administrator are available for such use or reuse and (2) by connecting utilities from buildings to mains. Upon request of the Federal Works Administrator any Federal agency having jurisdiction or control of any such structures or facilities may, with the approval of the War Assets Administrator, notwithstanding any other provisions of law, transfer such structures or facilities to the Federal Works Administrator, without reimbursement, for such use or reuse. Without regard to the provisions of any other law, said Administrator is authorized to transfer to any educational institution any educational facilities provided for such educational institution under this subsection.

[1959
58 Stat. 287
38 U. S. C., Supp. V, § 701, note foll. § 735.
Ante, p. 934.

Transfer to Federal Works Administrator, etc.

"(b) In carrying out the provisions of this section, said Administrator is authorized to exercise all the powers contained in sections 202 (a) and (b) and title III of this Act, subject to all the limitations contained in sections 203 (a) and (b) and title III of this Act: *Provided*, That nothing herein shall exclude the Indian Service from participation in the educational benefits provided by this Act.

55 Stat. 362, 363.
42 U. S. C., Supp. V, §§ 1532 (a), (b), 1533(a), (b), 1541–1553.
Ante, p. 9.

"(c) To carry out the provisions of this section, and for administrative expenses in connection therewith, any funds made available under title II of this Act are hereby made available, and for such

Funds.

55 Stat. 361.

42 U. S. C., Supp. V, §§ 1531–1534.
Ante, p. 314.
Transfers.

purposes there is also authorized to be appropriated the sum of $100,000,000.

Ante, p. 958.

"(d) Nothing in this section 504 shall affect the transfer to the National Housing Administrator of any structures or facilities requisitioned by him pursuant to section 502 (b) of this Act, for housing for veterans and distressed families of servicemen prior to any request therefor made by the Federal Works Administrator pursuant to the authority contained in said section 504.

Termination.

"(e) Except with respect to contracts previously entered into and court proceedings then pending, this section shall cease to be effective on the last date on which courses of education or training may be provided under title II of the Servicemen's Readjustment Act of 1944, as amended.

58 Stat. 287.
38 U. S. C., Supp. V, § 701, note foll. § 735.
Ante, p. 934.
"Educational institution."

"(f) As used in this Act the term 'educational institution' shall mean (a) any public educational institution or (b) any private educational institution, no part of the net earnings of which shall inure to the benefit of any private shareholder or individual.

Ante, p. 168.

"(g) Nothing in this section shall authorize the transfer of any property to the Federal Works Administrator until the preference to veterans provided by section 16 of the Surplus Property Act of 1944, as amended, has been fully satisfied in accordance with its terms; and for the purposes of such section 16 transfers to such Administrator under this section shall not be considered as transfers to a Government agency."

Approved, August 8, 1946.

[CHAPTER 929]

AN ACT

August 9, 1946
[H. R. 2586]
[Public Law 702]
60 Stat. 962

To authorize the leasing of Indian lands situated within the State of Washington for business and other purposes.

Washington.
Leasing of Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provisions of law, with the consent in writing of the individual Indian, association of Indians, or Indian tribe concerned, any restricted Indian lands situated within the State of Washington may be leased for religious, educational, recreational, business, or public purposes, including, but not limited to, airports, experimental station, stockyards, warehouses, and grain elevators, for periods not to exceed twenty-five years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That nothing in this Act shall be deemed to authorize such leases for the exploitation of any natural resources.

Restriction.

Leases by Indian owner, etc.

SEC. 2. Such leases may be made only by the individual Indian owner of the land or by the authorized representatives of the tribe or group of Indians to whom the land belongs, subject to the approval of the Secretary of the Interior or his authorized representative. Restricted allotments of deceased Indians, when the heirs or devisees cannot agree on a lease, may be leased for them in the manner prescribed by the Act of July 8, 1940 (54 Stat. 745, ch. 554). No lease shall be made by or on behalf of any tribe for a longer period than is or may be authorized by the tribal constitution, charter, or ordinances. Nothing contained in this Act shall be construed to repeal any authority to lease restricted lands which any Indian, Indian tribe, or official of the Department of the Interior would have in the absence of this Act.

25 U. S. C. § 380.

Approved, August 9, 1946.

[CHAPTER 930]

AN ACT

August 9, 1946
[H. R. 2893]
[Public Law 703]
60 Stat. 962

To amend the Act of February 15, 1929.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of February 15, 1929 (45 Stat. L. 1185), is hereby amended to read as follows: "The Secretary of the Interior, under such rules and regulations as he may prescribe, shall permit the agents and employees of any State to enter upon Indian tribal lands, reservations, or allotments therein (1) for the purpose of making inspection of health and educational conditions and enforcing sanitation and quarantine regulations or (2) to enforce the penalties of State compulsory school attendance laws against Indian children, and parents, or other persons in loco parentis except that this subparagraph (2) shall not apply to Indians of any tribe in which a duly constituted governing body exists until such body has adopted a resolution consenting to such application.

Indian lands.
Inspection of health and educational conditions, etc.
25 U. S. C. § 231.

Nonapplicability.

Approved, August 9, 1946.

[CHAPTER 933]

AN ACT

August 9, 1946
[H. R. 6165]
[Public Law 706]
60 Stat. 968

To provide for the preparation of a membership roll of the Indians of the Yakima Reservation, Washington, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed, with the advice and consent of the Yakima Tribal Council, to prepare a roll showing the members of the Yakima Tribes living on the date of the approval of this Act, which roll shall be kept current and shall constitute the official membership roll of the Yakima Tribes for all purposes. No person who is enrolled with any other tribe of Indians or who has received an allotment of land on any other reservation shall be enrolled under the provisions of this Act. The following shall be placed on the roll:

Yakima Tribes.
Membership roll.

(a) All living persons who received allotments on the Yakima Reservation, except by fraud.

(b) All living persons who are of the blood of the fourteen original Yakima Tribes, parties to the treaty of June 9, 1855 (12 Stat. 951), and who have received allotments on the public domain within the area ceded to the United States by the Yakima Tribes by the treaty of 1855.

(c) All living persons who have maintained a domicile continuously from January 1, 1941, until the date of approval of this Act on the Yakima Reservation or within the area ceded by the treaty of June 9, 1855 (12 Stat. 951), and who are (1) descendants of persons who received allotments on the Yakima Reservation, except by fraud, or (2) descendants of persons of the blood of the fourteen original Yakima Tribes who received allotments on the public domain within the area ceded by the said treaty of 1855. All living children born after January 1, 1941, but prior to the date of approval ⊥of this Act to a person entitled to enrollment under this subsection shall likewise be entitled to enrollment hereunder.

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(d) All children of one-fourth or more blood of the Yakima Tribes born after the date of approval of this Act to a parent who is an enrolled member and maintains a domicile on the Yakima Reservation or within the area ceded by the treaty of June 9, 1855, at the time of the birth of the child.

SEC. 2. Any person of one-fourth or more of the blood of the Yakima Tribes who may be excluded from enrollment under the provisions of section 1 of this Act may apply for membership at any time and be enrolled upon the approval of the application by a two-thirds vote of

Applications for membership.

the Yakima Tribal Council. Applications for enrollment under this section on behalf of minors and persons mentally incompetent may be filed by any enrolled member of the Yakima Tribes.

Corrections in roll

SEC. 3. Corrections in the roll prepared hereunder, by striking therefrom the name of any person erroneously placed on the roll or by adding to the roll the name of any person erroneously omitted therefrom, may be made at any time by the Yakima Tribal Council.

Loss of membership.

SEC. 4. Every person whose name appears on the roll prepared hereunder who holds no vested right, title, or interest in or to any restricted or trust land on the Yakima Reservation or within the area ceded by the treaty of June 9, 1855, and who has failed to maintain any tribal affiliations or a residence on the reservation or within the ceded area for a period of five consecutive years, shall no longer be considered a member of the Yakima Tribes, and his name shall be removed from the rolls. It shall be the duty of the Yakima Tribal Council to determine, subject to review by the Secretary of the Interior, loss of membership in each case.

12 Stat. 951.

Ordinances governing expulsion.

SEC. 5. The Yakima Tribal Council may adopt and enforce ordinances, subject to review by the Secretary of the Interior, governing the expulsion of members for any cause deemed by the council to be sufficient.

Back annuities, etc.

SEC. 6. No person whose name shall hereafter be placed on the roll of the Yakima Tribes shall be entitled to any back annuities or per capita payments made to the members of the tribes out of tribal funds which were authorized to be paid to the members of the tribes before such person's name shall have been placed upon such roll.

Inheritance, etc.

SEC. 7. Hereafter only enrolled members of the Yakima Tribes of one-fourth or more blood of such tribes shall take by inheritance or by will any interest in that part of the restricted or trust estate of a deceased member of such tribes which came to the decedent through his membership in such tribes or which consists of any interest in or the rents, issues, or profits from an allotment of land within the Yakima Reservation or within the area ceded by the treaty of June 9, 1855 (12 Stat. 951), except that a surviving spouse of less than one-fourth of the blood of the Yakima Tribes may receive by inheritance or devise the use for life of one-half of the restricted or trust lands of the decedent located within the Yakima Reservation or within the area ceded by the said treaty of June 9, 1855.

Surviving spouse of less than one fourth blood.

Approved, August 9, 1946.

[CHAPTER 944]

August 9, 1946
[H. R. 3058]

[Public Law 712]
60 Stat. 974

AN ACT

To authorize the use of certain lands of the United States for flowage in connection with providing additional storage space in the Pensacola Reservoir of the Grand River Dam project in Oklahoma, and for other purposes.

Oklahoma.
Use of U. S. lands for waters of Grand River Dam project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands of the United States located in the State of Oklahoma and held for Indian school purposes, to wit: All those parts of the northeast quarter southeast quarter section 20, and the northeast quarter southwest quarter, southeast quarter southwest quarter, southwest quarter southeast quarter, and southeast quarter southeast quarter section 21, township 27 north, range 24 east, Indian meridian, Wyandotte Reserve, in Ottawa County, lying between elevations 750 and 760 feet above mean sea level, may be used perpetually by the United ⊥States, and its duly authorized agencies and representatives, to flow thereon and withdraw therefrom the waters of the Pensacola Reservoir of the Grand River Dam project for the purpose of and in connection with controlling floods and the production of hydroelectric power.

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SEC. 2. The Secretary of the Interior is hereby authorized to determine, in such manner as he may deem appropriate, the reasonable value of such use, including therein all damages to adjacent lands not now subject to flowage rights, together with the improvements and crops thereon, and also the damages caused by the flood of May 1943, and, when so determined, the amount of such compensation and damages shall be deposited in the United States Treasury to the credit of the Seneca Indian School at Wyandotte, Oklahoma, pursuant to the provisions of the Act of May 17, 1926 (44 Stat. 560). The unobligated balance of funds under any allotment heretofore made for the acquisition of additional storage space in the Pensacola Reservoir shall be available to the Secretary of the Interior for payment of such compensation and damages, notwithstanding any time limitations heretofore established by the Congress with respect to the availability of such funds.

Determination of value

25 U. S. C. § 155.

Approved, August 9, 1946.

[CHAPTER 947]

AN ACT

August 10, 1946
H. R. 3411
[Public Law 715]
60 Stat. 976

Relating to the status of Keetoowah Indians of the Cherokee Nation in Oklahoma, and for other purposes, and authorizing conveyance of the Seger Indian School to the Cheyenne and Arapaho Indians of Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Keetoowah Indians of the Cherokee Nation of Oklahoma shall be recognized as a band of Indians residing in Oklahoma within the meaning of section 3 of the Act of June 26, 1936 (49 Stat. 1967).

Status of Keetoowah Indians

25 U. S. C. § 503.

SEC. 2. That there is hereby set aside for the use and benefit of the Indians of the Cheyenne and Arapaho Reservation in Oklahoma the remainder of the lands comprising the diminished Seger School Reserve containing approximately five hundred and thirty-seven acres, and the improvements thereon, in section 15, township 10 north, range 14 west, of the Indian meridian, Oklahoma.

Seger School Reserve
Use, etc., of lands

Subject to the consent of the business committee of the Cheyenne and Arapaho Tribes thereto, the Secretary of the Interior is authorized to enter into an agreement with the Colony Union Graded School District Numbered 1, Colony, Oklahoma, for the use by the district of all or any portion of the land, and improvements thereon, described in this Act: *Provided*, That any such agreement shall contain the express condition that the land therein described and the improvements thereon shall revert to the use of the Indians of the Cheyenne and Arapaho Tribes when no longer used by the said school district for school purposes.

Agreement.

Condition.

Approved, August 10, 1946.

[CHAPTER 959]

AN ACT

August 13, 1946
[H. R. 4497]
[Public Law 726]
60 Stat. 1049

To create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created and established an Indian Claims Commission, hereafter referred to as the Commission.

Indian Claims Commission

⊥JURISDICTION

⊥1050

SEC. 2. The Commission shall hear and determine the following claims against the United States on behalf of any Indian tribe, band, or other identifiable group of American Indians residing within the territorial limits of the United States or Alaska: (1) claims in law or

Classes of claims.

equity arising under the Constitution, laws, treaties of the United States, and Executive orders of the President; (2) all other claims in law or equity, including those sounding in tort, with respect to which the claimant would have been entitled to sue in a court of the United States if the United States was subject to suit; (3) claims which would result if the treaties, contracts, and agreements between the claimant and the United States were revised on the ground of fraud, duress, unconscionable consideration, mutual or unilateral mistake, whether of law or fact, or any other ground cognizable by a court of equity; (4) claims arising from the taking by the United States, whether as the result of a treaty of cession or otherwise, of lands owned or occupied by the claimant without the payment for such lands of compensation agreed to by the claimant; and (5) claims based upon fair and honorable dealings that are not recognized by any existing rule of law or equity. No claim accruing after the date of the approval of this Act shall be considered by the Commission.

All claims hereunder may be heard and determined by the Commission notwithstanding any statute of limitations or laches, but all other defenses shall be available to the United States.

Deductions for payments, etc.

In determining the quantum of relief the Commission shall make appropriate deductions for all payments made by the United States on the claim, and for all other offsets, counterclaims, and demands that would be allowable in a suit brought in the Court of Claims under section 145 of the Judicial Code (36 Stat. 1136; 28 U. S. C. sec. 250), as amended; the Commission may also inquire into and consider all money or property given to or funds expended gratuitously for the benefit of the claimant and if it finds that the nature of the claim and the entire course of dealings and accounts between the United States and the claimant in good conscience warrants such action, may set off all or part of such expenditures against any award made to the claimant, except that it is hereby declared to be the policy of Congress that monies spent for the removal of the claimant from one place to another at the request of the United States, or for agency or other administrative, educational, health or highway purposes, or for expenditures made prior to the date of the law, treaty or Executive Order under which the claim arose, or for expenditures made pursuant to the Act of June 18, 1934 (48 Stat. 984), save expenditures made under section 5 of that Act, or for expenditures under any emergency appropriation or allotment made subsequent to March 4, 1933, and generally applicable throughout the United States for relief in stricken agricultural areas, relief from distress caused by unemployment and conditions resulting therefrom, the prosecution of public work and public projects for the relief of unemployment or to increase employment, and for work relief (including the Civil Works Program) shall not be a proper offset against any award.

25 U. S. C. § 461 *et seq.*
25 U. S. C. § 465.

MEMBERSHIP APPOINTMENT; OATH; SALARY

SEC. 3. (a) The Commission shall consist of a Chief Commissioner and two Associate Commissioners, who shall be appointed by the President, by and with the advice and consent of the Senate, and each of whom shall receive a salary of $10,000 per year. At all times at least two members of the Commission shall be members of the bar of the ⊥1051 ⊥Supreme Court of the United States in good standing: *Provided further,* That not more than two of the members shall be of the same political party. Each of them shall take an oath to support the Constitution of the United States and to discharge faithfully the duties of his office.

TERM OF OFFICE; VACANCIES; REMOVAL

(b) The Commissioners shall hold office during their good behavior

until the dissolution of the Commission as hereinafter provided. Vacancies shall be filled in the same manner as the original appointments. Members of the Commission may be removed by the President for cause after notice and opportunity to be heard.

NOT TO ENGAGE IN OTHER VOCATIONS OR REPRESENT TRIBES

(c) No Commissioner shall engage in any other business, vocation, or employment during his term of office nor shall he, during his term of office or for a period of two years thereafter, represent any Indian tribe, band, or group in any matter whatsoever, or have any financial interest in the outcome of any tribal claim. Any person violating the provisions of this subdivision shall be fined not more than $10,000 or imprisoned not more than two years, or both.

QUORUM

(d) Two members shall constitute a quorum, and the agreement of two members shall be necessary to any and all determinations for the transaction of the business of the Commission, and, if there be a quorum, no vacancy shall impair or affect the business of the Commission, or its determinations.

STAFF OF COMMISSION

SEC. 4. The Commission shall appoint a clerk and such other employees as shall be requisite to conduct the business of the Commission. All such employees shall take oath for the faithful discharge of their duties and shall be under the direction of the Comission in the performance thereof.

OFFICES

SEC. 5. The principal office of the Commission shall be in the District of Columbia.

EXPENSES OF COMMISSION

SEC. 6. All necessary expenses of the Commission shall be paid on the presentation of itemized vouchers therefor approved by the Chief Commissioner or other member or officer designated by the Commission.

TIME OF MEETINGS

SEC. 7. The time of the meetings of the Commission shall be prescribed by the Commission.

RECORD

SEC. 8. A full written record shall be kept of all hearings and proceedings of the Commission and shall be open to public inspection.

CONTROL OF PROCEDURE

SEC. 9. The Commission shall have power to establish its own rules of procedure.

⊥PRESENTATION OF CLAIM ⊥1052

SEC. 10. Any claim within the provisions of this Act may be presented to the Commission by any member of an Indian tribe, band, or other identifiable group of Indians as the representative of all its members; but wherever any tribal organization exists, recognized by the Secretary of the Interior as having authority to represent such tribe, band, or group, such organization shall be accorded the exclusive privilege of representing such Indians, unless fraud, collusion, or laches on the part of such organization be shown to the satisfaction of the Commission.

TRANSFER OF SUITS FROM COURT OF CLAIMS

SEC. 11. Any suit pending in the Court of Claims or the Supreme Court of the United States or which shall be filed in the Court of Claims under existing legislation, shall not be transferred to the Commission: *Provided,* That the provisions of section 2 of this Act, with respect to the deduction of payments, offsets, counterclaims and demands, shall supersede the provisions of the particular jurisdictional Act under which any pending or authorized suit in the Court of Claims has been or will be authorized: *Provided further,* That the Court of Claims in any suit pending before it at the time of the approval of this Act shall have exclusive jurisdiction to hear and determine any claim based upon fair and honorable dealings arising out of the subject matter of any such suit.

LIMITATIONS

Presentation of claims.

SEC. 12. The Commission shall receive claims for a period of five years after the date of the approval of this Act and no claim existing before such date but not presented within such period may thereafter be submitted to any court or administrative agency for consideration, nor will such claim thereafter be entertained by the Congress.

NOTICE AND INVESTIGATION

SEC. 13. (a) As soon as practicable the Commission shall send a written explanation of the provisions of this Act to the recognized head of each Indian tribe and band, and to any other identifiable groups of American Indians existing as distinct entities, residing within the territorial limits of the United States and Alaska, and to the superintendents of all Indian agencies, who shall promulgate the same, and shall request that a detailed statement of all claims be sent to the Commission, together with the names of aged or invalid Indians from whom depositions should be taken immediately and a summary of their proposed testimonies.

Investigation Division

(b) The Commission shall establish an Investigation Division to investigate all claims referred to it by the Commission for the purpose of discovering the facts relating thereto. The Division shall make a complete and thorough search for all evidence affecting each claim, utilizing all documents and records in the possession of the Court of Claims and the several Government departments, and shall submit such evidence to the Commission. The Division shall make available to the Indians concerned and to any interested Federal agency any data in its possession relating to the rights and claims of any Indian.

CALLS UPON DEPARTMENTS FOR INFORMATION

SEC. 14. The Commission shall have the power to call upon any of the departments of the Government for any information it may deem necessary, and shall have the use of all records, hearings, and

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reports made by the committees of each House of Congress, when deemed necessary in the prosecution of its business.

Use of documents etc., in evidence.

At any hearing held hereunder, any official letter, paper, document, map, or record in the possession of any officer or department, or court of the United States or committee of Congress (or a certified copy thereof), may be used in evidence insofar as relevant and material, including any deposition or other testimony of record in any suit or proceeding in any court of the United States to which an Indian or Indian tribe or group was a party, and the appropriate department of the Government of the United States shall give to the attorneys for all tribes or groups full and free access to such letters, papers, documents, maps, or records as may be useful to said attorneys in the preparation of any claim instituted hereunder, and shall afford facilities for the

examination of the same and, upon written request by said attorneys, shall furnish certified copies thereof.

REPRESENTATION BY ATTORNEYS

SEC. 15. Each such tribe, band, or other identifiable group of Indians may retain to represent its interests in the presentation of claims before the Commission an attorney or attorneys at law, of its own selection, whose practice before the Commission shall be regulated by its adopted procedure. The fees of such attorney or attorneys for all services rendered in prosecuting the claim in question, whether before the Commission or otherwise, shall, unless the amount of such fees is stipulated in the approved contract between the attorney or attorneys and the claimant, be fixed by the Commission at such amount as the Commission, in accordance with standards obtaining for prosecuting similar contingent claims in courts of law, finds to be adequate compensation for services rendered and results obtained, considering the contingent nature of the case, plus all reasonable expenses incurred in the prosecution of the claim; but the amount so fixed by the Commission, exclusive of reimbursements for actual expenses, shall not exceed 10 per centum of the amount recovered in any case. The attorney or attorneys for any such tribe, band, or group as shall have been organized pursuant to section 16 of the Act of June 18, 1934 (48 Stat. 987; 25 U. S. C., sec. 476), shall be selected pursuant to the constitution and bylaws of such tribe, band, or group. The employment of attorneys for all other claimants shall be subject to the provisions of sections 2103 to 2106, inclusive, of the Revised Statutes (25 U. S. C., secs. 81, 82–84). Fees

The Attorney General or his assistants shall represent the United States in all claims presented to the Commission, and shall have authority, with the approval of the Commission, to compromise any claim presented to the Commission. Any such compromise shall be submitted by the Commission to the Congress as a part of its report as provided in section 21 hereof in the same manner as final determinations of the Commission, and shall be subject to the provisions of section 22 hereof. Authority of Attorney General

NO MEMBER OF CONGRESS TO PRACTICE BEFORE COMMISSION

SEC. 16. No Senator or Member of or Delegate to Congress shall, during his continuance in office, practice before the Commission.

HEARING

SEC. 17. The Commission shall give reasonable notice to the interested parties and an opportunity for them to be heard and to present evidence before making any final determination upon any claim. Hearings may be held in any part of the United States or in the Territory of Alaska.

⊥TESTIMONY ⊥1054

SEC. 18. Any member of the Commission or any employee of the Commission, designated in writing for the purpose by the Chief Commissioner, may administer oaths and examine witnesses. Any member of the Commission may require by subpena (1) the attendance and testimony of witnesses, and the production of all necessary books, papers, documents, correspondence, and other evidence, from any place in the United States or Alaska at any designated place of hearing; or (2) the taking of depositions before any designated individual competent to administer oaths under the laws of the United States or of any State or Territory. In the case of a deposition, the testimony shall be reduced to writing by the individual taking the deposition or under his direction and shall be subscribed by the deponent. In taking

Fees and mileage

testimony, opportunity shall be given for cross-examination, under such regulations as the Commission may prescribe. Witnesses subpenaed to testify or whose depositions are taken pursuant to this Act, and the officers or persons taking the same, shall severally be entitled to the same fees and mileage as are paid for like services in the courts of the United States.

FINAL DETERMINATION

SEC. 19. The final determination of the Commission shall be in writing, shall be filed with its clerk, and shall include (1) its findings of the facts upon which its conclusions are based; (2) a statement (a) whether there are any just grounds for relief of the claimant and, if so, the amount thereof; (b) whether there are any allowable offsets, counterclaims, or other deductions, and, if so, the amount thereof; and (3) a statement of its reasons for its findings and conclusions.

REVIEW BY COURT OF CLAIMS

Certification of questions of law

SEC. 20. (a) In considering any claim the Commission at any time may certify to the Court of Claims any definite and distinct questions of law concerning which instructions are desired for the proper disposition of the claim; and thereupon the Court of Claims may give appropriate instructions on the questions certified and transmit the same to the Commission for its guidance in the further consideration of the claim.

Notice of filing of final determination

(b) When the final determination of the Commission has been filed with the clerk of said Commission the clerk shall give notice of the filing of such determination to the parties to the proceeding in manner and form as directed by the Commission.

Appeal

At any time within three months from the date of the filing of the determination of the Commission with the clerk either party may appeal from the determination of the Commission to the Court of Claims, which Court shall have exclusive jurisdiction to affirm, modify, or set aside such final determination. On said appeal the Court shall determine whether the findings of fact of the Commission are supported by substantial evidence, in which event they shall be conclusive, and also whether the conclusions of law, including any conclusions respecting "fair and honorable dealings", where applicable, stated by the Commission as a basis for its final determination, are valid and supported by the Commission's findings of fact. In making the foregoing determinations, the Court shall review the whole record or such portions thereof as may be cited by any party, and due account shall be taken of the rule of prejudicial error. The Court may at any time remand the cause to the Commission for such further proceedings as it may direct, not inconsistent with the foregoing provisions of this section. The Court

Remand of cause to Commission.

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⊥shall promulgate such rules of practice as it may find necessary to carry out the foregoing provisions of this section.

Review by Supreme Court of U. S.

(c) Determinations of questions of law by the Court of Claims under this section shall be subject to review by the Supreme Court of the United States in the manner prescribed by section 3 of the Act of February 13, 1925 (43 Stat. 939; 28 U. S. C., sec. 288), as amended.

REPORT OF COMMISSION TO CONGRESS

SEC. 21. In each claim, after the proceedings have been finally concluded, the Commission shall promptly submit its report to Congress.

The report to Congress shall contain (1) the final determination of the Commission; (2) a transcript of the proceedings or judgment upon review, if any, with the instructions of the Court of Claims; and (3) a statement of how each Commission voted upon the final determination of the claim.

EFFECT OF FINAL DETERMINATION OF COMMISSION

Report

SEC. 22. (a) When the report of the Commission determining any claimant to be entitled to recover has been filed with Congress, such report shall have the effect of a final judgment of the Court of Claims, and there is hereby authorized to be appropriated such sums as are necessary to pay the final determination of the Commission.

Appropriation authorized.

The payment of any claim, after its determination in accordance with this Act, shall be a full discharge of the United States of all claims and demands touching any of the matters involved in the controversy.

Further claim barred.

(b) A final determination against a claimant made and reported in accordance with this Act shall forever bar any further claim or demand against the United States arising out of the matter involved in the controversy.

DISSOLUTION OF THE COMMISSION

SEC. 23. The existence of the Commission shall terminate at the end of ten years after the first meeting of the Commission or at such earlier time after the expiration of the five-year period of limitation set forth in section 12 hereof as the Commission shall have made its final report to Congress on all claims filed with it. Upon its dissolution the records of the Commission shall be delivered to the Archivist of the United States.

Records.

FUTURE INDIAN CLAIMS

Extension of jurisdiction of Court of Claims.

SEC. 24. The jurisdiction of the Court of Claims is hereby extended to any claim against the United States accruing after the date of the approval of this Act in favor of any Indian tribe, band, or other identifiable group of American Indians residing within the territorial limits of the United States or Alaska whenever such claim is one arising under the Constitution, laws, treaties of the United States, or Executive orders of the President, or is one which otherwise would be cognizable in the Court of Claims if the claimant were not an Indian tribe, band, or group. In any suit brought under the jurisdiction conferred by this section the claimant shall be entitled to recover in the same manner, to the same extent, and subject to the same conditions and limitations, and the United States shall be entitled to the same defenses, both at law and in equity, and to the same offsets, counterclaims, and demands, as in cases brought in the Court of Claims under section 145 of the Judicial Code (36 Stat. 1136; 28 U. S. C., sec. 250), as amended: *Provided, however,* That nothing contained in this section shall be construed as altering the ⊥fiduciary or other ⊥1056 relations between the United States and the several Indian tribes, bands, or groups.

EFFECT ON EXISTING LAWS

SEC. 25. All provisions of law inconsistent with this Act are hereby repealed to the extent of such inconsistency, except that existing provisions of law authorizing suits in the Court of Claims by particular tribes, bands, or groups of Indians and governing the conduct or determination of such suits shall continue to apply to any case heretofore or hereafter instituted thereunder save as provided by section 11 hereof as to the deduction of payments, offsets, counterclaims, and demands.

Separability of provisions.

SEC. 26. If any provision of this Act, or the application thereof, is held invalid, the remainder of the Act, or other applications of such provisions, shall not be affected.

Approved, August 13, 1946.

[CHAPTER 965]

AN ACT

August 14, 1946
[H. R. 6097]

[Public Law 732]
60 Stat. 1080

To amend the Act of March 10, 1934, entitled "An Act to promote the conservation of wildlife, fish, and game, and for other purposes".

Conservation of wildlife.
16 U. S. C. §§ 661–666.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 10, 1934 (48 Stat. 401), is hereby amended to read as follows:

"In order to promote effectual planning, development, maintenance, and coordination of wildlife conservation and rehabilitation in the United States, its Territories and possessions, the Secretary of the Interior, through the Fish and Wildlife Service, is authorized (a) to provide assistance to, and cooperate with, Federal, State, and public or private agencies and organizations in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat, in controlling losses of the same from disease or other causes, in minimizing damages from overabundant species, in providing public shooting areas, and in carrying out other measures necessary to effectuate the purposes of this Act; and (b) to make surveys and investigations of the wildlife of the public domain, including lands and waters or interests therein acquired or controlled by any agency of the United States.

Assistance to public and private agencies.

Surveys, etc.

Impoundment, etc., of waters.

"SEC. 2. Whenever the waters of any stream or other body of water are authorized to be impounded, diverted, or otherwise controlled for any purpose whatever by any department or agency of the United States, or by any public or private agency under Federal permit, such department or agency first shall consult with the Fish and Wildlife Service and the head of the agency exercising administration over the wildlife resources of the State wherein the impoundment, diversion, or other control facility is to be constructed with a view to preventing loss of and damage to wildlife resources, and the reports and recommendations of the Secretary of the Interior and of the head of the agency exercising administration over the wildlife resources of the State, based on surveys and investigation conducted by the Fish and Wildlife Service and by the said head of the agency exercising administration over the wildlife resources of the State, for the purpose of determining the possible damage to wildlife resources and of the means and measures that should be adopted to prevent loss of and damage to wildlife resources, shall be made an integral part of any report submitted by any agency of the Federal Government responsible for engineering surveys and construction of such projects.

Reports, etc., of Secretary and head of State agency.

⊥1081

Costs of planning, construction, etc.

⊥"The cost of planning for and the construction or installation and maintenance of any such means and measures shall be included in and shall constitute an integral part of the costs of such projects: *Provided,* That, in the case of projects hereafter authorized to be constructed, operated, and maintained in accordance with the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), the Secretary of the Interior shall, in addition to allocations to be made under section 9 of the Reclamation Project Act of 1939 (53 Stat. 1187), make findings on the part of the estimated cost of the project which can properly be allocated to the preservation and propagation of fish and wildlife, and costs allocated pursuant to such findings shall not be reimbursable. In the case of construction by a Federal agency, that agency is authorized to transfer, out of appropriations or other funds made available for surveying, engineering, or construction to the Fish and Wildlife Service, such funds as may be necessary to conduct the investigations required by this section to be made by it.

Findings.

53 Stat. 1193.
43 U. S. C. § 485h.

Transfer of funds.

Provision for use of impounded waters, etc.

"SEC. 3. Whenever the waters of any stream or other body of water are impounded, diverted, or otherwise controlled for any purpose whatever by any department or agency of the United States, adequate

provision consistent with the primary purposes of such impoundment, diversion, or other control shall be made for the use thereof, together with any areas of land, or interest therein, acquired or administered in connection therewith, for the conservation, maintenance, and management of wildlife, resources thereof, and its habitat thereon. In accordance with general plans, covering the use of such waters and other interests for these purposes, approved jointly by the head of the department or agency exercising primary administration thereof, the Secretary of the Interior, and the head of the agency exercising administration over the wildlife resources of the State wherein the waters and areas lie, such waters and other interests shall be made available without cost for administration (a) by such State agency, if the management thereof for the conservation of wildlife relates to other than migratory birds; (b) by the Secretary of the Interior, if the waters and other interests have particular value in carrying out the national migratory bird management program.

Administration of available areas.

"SEC. 4. Such areas as are made available to the Secretary of the Interior for the purposes of this Act under sections 1 and 3, or by any other law, proclamation, or Executive order, shall be administered directly or under cooperative agreements entered into pursuant to the provisions of section 1 by the Secretary of the Interior under such rules and regulations for the conservation, maintenance, and management of wildlife, resources thereof, and its habitat thereon, as may be adopted by him in accordance with general plans approved jointly by the Secretary of the Interior and the head of the department or agency exercising primary administration of such areas: *Provided*, That such rules and regulations shall not be inconsistent with the laws for the protection of fish and game of the States in which such area is situated.

Rules and regulations.

Investigations to determine effects of polluting substances.

"SEC. 5. The Secretary of the Interior, through the Fish and Wildlife Service and the Bureau of Mines, is authorized to make such investigations as he deems necessary to determine the effects of domestic sewage, mine, petroleum, and industrial wastes, erosion silt, and other polluting substances on wildlife, and to make reports to the Congress concerning such investigations and of recommendations for alleviating dangerous and undesirable effects of such pollution. These investigations shall include (1) the determination of standards of water quality for the maintenance of wildlife; (2) the ⊥study of methods of abating and preventing pollution, including methods for the recovery of useful or marketable products and byproducts of wastes; and (3) the collation and distribution of data on the progress and results of such investigations for the use of Federal, State, municipal, and private agencies, individuals, organizations, or enterprises.

Reports to Congress.

⊥1082

Appropriation authorized.

"SEC. 6. There is authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions of this Act and regulations made pursuant thereto, including the construction of such facilities, buildings, and other improvements necessary for economical administration of areas made available to the Secretary of the Interior under this Act, and the employment in the city of Washington and elsewhere of such persons and means as the Secretary of the Interior may deem necessary for such purposes.

Penalty.

"SEC. 7. Any person who shall violate any rule or regulation promulgated in accordance with this Act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $500 or imprisoned for not more than one year, or both

"Wildlife"; "wildlife resources."

"SEC. 8. The terms 'wildlife' and 'wildlife resources' as used herein include birds, fishes, mammals, and all other classes of wild animals and all types of aquatic and land vegetation upon which wildlife is dependent.

Inapplicability to TVA

"SEC. 9. The provisions of this Act shall not apply to the Tennessee Valley Authority."

Approved, August 14, 1946.

PRIVATE LAWS OF THE SEVENTY-NINTH CONGRESS, SECOND SESSION, 1946

[CHAPTER 8]

AN ACT

February 13, 1946
[S. 480]
[Private Law 369]
60 Stat. 1106

To authorize the sale of the allotment of Henry Keiser on the Crow Indian Reservation, Montana.

Henry Keiser

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, upon the application of Henry Keiser in writing, to offer for sale to the highest bidder, under such terms and conditions as the Secretary may prescribe, the allotment of Henry Keiser, Crow Indian allottee Numbered 3313, described as lots 11 and 12 of section 3, west half of section 10, township 2 south, range 30 east, and southwest quarter northwest quarter, northwest quarter southwest quarter, south half southwest quarter, and southeast quarter of section 1, township 8 south, range 37 east, principal meridian, Big Horn County, Montana, containing seven hundred and eighteen and seventy-five one hundredths acres: *Provided*, That such part of the proceeds received from the sale of said land as the

‡ 1107

‡ Secretary of the Interior may deem advisable shall be reinvested in other lands selected by said Henry Keiser, and such land so selected and purchased shall not be alienated or encumbered without the approval of the Secretary of the Interior and shall be nontaxable and such restrictions shall appear in the conveyance. The balance of such proceeds, if any, shall be deposited to the credit of Henry Keiser and shall be expended under individual Indian money regulations of the Department of the Interior.

Approved, February 13, 1946.

[CHAPTER 87]

AN ACT

March 13, 1946
[H. R. 4027]
Private Law 423]
60 Stat. 1127

Authorizing sale of the allotment of LeRoy Milliken on the Crow Indian Reservation, Montana.

LeRoy Milliken

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, upon the application of LeRoy Milliken in writing, to offer for sale to the highest bidder, upon such terms and conditions as the Secretary may prescribe, the following-described lands allotted to said LeRoy Milliken: The south half of the south half of the north half of the northeast quarter, the south half of the northeast quarter, the southeast quarter of the northwest quarter, the east half of the southwest quarter, and the southeast quarter, of section 24, township 5 south, range 26 east, the north half of the northeast quarter, the southeast quarter of the northeast quarter, and the northeast quarter of the northwest quarter, of section 25, township 5 south, range 26 east, and lots 4, 9, and 10 of section 19, township 5 south, range 27 east, Montana principal meridian.

Approved, March 13, 1946.

[CHAPTER 88]

AN ACT

March 13, 1946
[H. R. 4034]
[Private Law 424]
60 Stat. 1128

Authorizing the issuance of a patent in fee to Alice Yarlott Othermedicine.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue Alice Yarlott Othermedicine, a Crow Indian allottee, a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Montana: The northwest quarter of the southeast quarter, section 11, township 9 south, range 34 east, Montana principal meridian, Big Horn County, Montana, containing forty acres.

Alice Yarlott Othermedicine.

Approved, March 13, 1946.

[CHAPTER 89]

AN ACT

Authorizing the issuance of a patent in fee to Wilbert Keiser.

March 13, 1946
[H. R. 4035]
[Private Law 425]
60 Stat. 1128

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Wilbert Keiser a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Montana: Lot 4 and the southwest quarter of the southwest quarter of section 2, and the west half of the northwest quarter of section 11, township 3 north, range 31 east, Montana principal meridian, containing one hundred and fifty-seven and twenty-two one-hundredths acres.

Wilbert Keiser.

Approved, March 13, 1946.

[CHAPTER 471]

AN ACT

Authorizing the issuance of a patent in fee to Richard S. Fisher.

June 25, 1946
[H. R. 4046]
[Private Law 693]
60 Stat. 1241

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Richard S. Fisher, of Lodge Grass, Montana, a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation: The south half of the northwest quarter, the north half of the southwest quarter, the north half of the southeast quarter, and the north half of the north half of the south half of the south half, of section 23, and the west half of the southwest quarter of section 24, township 7 south, range 36 east; the east half of section 21, and the southwest quarter of the northwest quarter, the north half of the northwest quarter, and the north half of the northeast quarter of section 26, township 7 south, range 37 east, and lot 4 and the southwest quarter of the southeast quarter of section 30, township 8 south, range 37 east; Montana principal meridian.

Richard S. Fisher.

Approved, June 25, 1946.

[CHAPTER 565]

AN ACT

Authorizing the Secretary of the Interior to partition certain lands in Cleveland County, Oklahoma, and for other purposes.

July 11, 1946
[S. 438]
[Private Law 721]
60 Stat. 1252

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That B. H. Goodin, his heirs or assigns, may maintain a suit to partition the northeast quarter of section 33, township 9 north, range 1 east, Indian meridian, in Cleveland County, Oklahoma, against any restricted Indian who is a part owner of said lands in the United States District Court for the Western District of Oklahoma in accordance with the law governing partitions in the State of Oklahoma. The United States shall be made a party to such action, and jurisdiction is hereby conferred upon such court to hear and determine such cause, and service may be had on the United States by serving one copy of the petition or bill in equity

B. H. Goodin, his heirs or assigns.

on the United States attorney for the Western District of Oklahoma not less than forty-one days before said cause is set for trial, and any conveyance ordered made by said court, in such proceedings, shall operate to remove all restrictions on the lands conveyed to the grantee therein, except where such grantee is a restricted Indian.

Approved, July 11, 1946.

[CHAPTER 829]

AN ACT

August 7, 1946
[H. R. 4114]

[Private Law 832]
60 Stat. 1298

To authorize the Secretary of the Interior to sell certain land of Alice Scott White on the Crow Indian Reservation, Montana.

Sale of land of Alice Scott White.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon the written application of Alice Scott White, Crow Indian allottee numbered 953, the Secretary of the Interior is hereby authorized to sell to the highest bidder, under such terms and conditions as he may prescribe, that part of the homestead land of the said allottee described as the northeast quarter of the southeast quarter, section 33, township 5 south, range 28 east; the northwest quarter of the northeast quarter, section 7, lot 3, and the southeast quarter of the northwest quarter, section 8, township 4 south, range 33 east, Montana principal meridian, containing one hundred and sixty and forty-eight one-hundredths acres.

Approved August 7, 1946.

PUBLIC LAWS OF THE EIGHTIETH CONGRESS, FIRST SESSION, 1947

[CHAPTER 10]

JOINT RESOLUTION

March 7, 1947
[S. J. Res. 60]

[Public Law 10]
61 Stat. 8

To authorize the San Carlos Irrigation and Drainage District, Arizona, to drill, equip, and acquire wells for use on the San Carlos irrigation project.

San Carlos irrigation project, Ariz.

Whereas the San Carlos irrigation project, Arizona, has been constructed under authority of the Act of June 7, 1924 (43 Stat. 475), as supplemented and amended; and

Whereas a contract has been executed pursuant to such legislative authority between the Secretary of the Interior and the San Carlos Irrigation and Drainage District providing for the repayment of the proper share of the cost of project irrigation works by the San Carlos Irrigation and Drainage District on behalf of project lands in private and public ownership; and

Whereas, at the beginning of the 1947 irrigation season, due to extended drought, there is virtually a complete lack of surface and reservoir water supply on the project for the irrigation of the lands of the district and the Pima Indians of the Gila River Indian Reservation, thus creating an emergency: Now, therefore, be it

Extension authorized

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be constructed an extension of the system of wells and pumping works of the San Carlos irrigation project, including the enlargement, rehabilitation, and repair of the present pumping and drainage works of the said project, and in order to expedite and assist the accomplishment thereof, the San Carlos Irrigation and Drainage District, is hereby authorized, (1) to develop underground water within and without the area of the San Carlos irrigation project exclusively for use as a part of the common stored and pumped water supply of said project; (2) to drill irrigation wells within and without the project area necessary for making underground waters available exclusively for use on all lands of the project, and equip the same with pumping facilities and equipment, including the deepening, replacement, and repair of existing project wells and equipment; and (3) to purchase with the consent of and under agreement with the ⊥owner thereof

and to develop privately owned wells within or adjacent to the project areas, together with rights of way necessary to the operation of such wells: *Provided*, That the cost of the wells, exclusively for use as part of the common stored and pumped water supply of said project, equipment, and pumping works herein authorized to be constructed or acquired shall not exceed the sum of $380,000 and, within that limit, such cost shall be deemed a project charge to be distributed equally per acre over both the Indian lands and the lands in public and private ownership within the San Carlos irrigation project, and shall be repayable to the United States in accordance with existing law: *Provided further*, That the Secretary shall, at the earliest practicable date, enter into an agreement with the San Carlos Irrigation and Drainage District, which agreement shall describe the scope and extent of the work to be done by the district, the plans and specifications therefor, and such other provisions, in conformity herewith, as may be agreed upon between the Secretary and the district: *Provided further*, That the San Carlos Irrigation and Drainage District shall be reimbursed for costs expended by it in the construction and acquisition of such wells, equipment, and pumping works; and the Secretary is hereby authorized to make such reimbursement: First, by releasing the district from the payment of construction charges due the United States annually by the district under the repayment contract executed pursuant to said Act of June 7, 1924, as amended, as such charges become due and payable, until the amount of the payments so released shall equal the total amount of the funds certified under oath by the district as having been expended by it for the construction and acquisition of wells and equipment under the terms of the agreement provided for herein, the first of such annual payments so to be released by the Secretary being that due from the district on December 1, 1947; or second, by paying to the district the full amount of the funds so certified as expended by it in the work authorized to be done, or any balance thereof not otherwise paid as hereinabove provided, out of appropriations hereafter made by Congress for this purpose; and there is hereby authoized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $380,000, or so much thereof as may be necessary, to carry out the purposes of this joint resolution.

Cost limitation

Repayment of project charge to U S

Agreement

Reimbursement

43 Stat. 475.

Appropriation authorized

Approved, March 7, 1947.

[CHAPTER 20]

AN ACT

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

March 22, 1947
[H. R. 1968]

[Public Law 20]
61 Stat. 14

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

Urgent Deficiency Appropriation Act, 1947.
Post, p. 118.

* * *

[TITLE II—REDUCTIONS IN APPROPRIATIONS AND AUTHORIZATIONS

[17

Amounts available to the departments and agencies from appropriations and other funds are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

* * *

121 ⊥DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs:
Purchase of land for Navajo Indians, Arizona (reimbursable), $308.02.
Construction, irrigation systems, Indian Service (reimbursable), $9,865.90.
Construction, buildings and utilities, Indian Service, $131,407.71.
Support of Wisconsin Band of Potawatomie, Wisconsin and Michigan (reimbursable), $500.21.
Working fund, Interior, Indians, $25,538.66.
Working fund, Department of the Interior, subsistence, homestead project, $2,092.97.

* * *

Approved, March 22, 1947.

[CHAPTER 49]

AN ACT

May 1, 1947
[H. R. 2849]

[Public Law 46]
61 Stat. 58

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

First Deficiency Appropriation Act, 1947.
Post, p. 118.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

* * *

160 ⊥INDEPENDENT OFFICES

* * *

161 ⊥INDIAN CLAIMS COMMISSION

60 Stat. 1049.
25 U. S. C. §§ 70-70v, 28 U. S. C. §§ 259, 259a.

Salaries and expenses: For expenses necessary, fiscal year 1947, to carry out the purposes of the Act of August 13, 1946 (Public Law 726), creating an Indian Claims Commission, including personal services in the District of Columbia; printing and binding; and penalty mail costs as required by the Act of June 28, 1944, $15,000.

58 Stat. 394.
39 U. S. C. §§ 321c-321n.

* * *

166 ⊥DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

60 Stat. 355.

Suppressing forest and range fires: For an additional amount, fiscal year 1947, for "Suppressing forest and range fires", $50,000.

* * *

Approved, May 1, 1947.

[CHAPTER 80]

AN ACT

May 19, 1947
[H. R. 1098]

[Public Law 74]
61 Stat. 102

To authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapaho Tribes of the Wind River Reservation.

Shoshone and Arapaho Tribes, Wind River Reservation.
Division of trust funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to divide the trust funds on deposit in the Treasury of the United States to the joint credit of the Shoshone and Arapaho Tribes of the Wind River Reservation, Wyoming, including the unexpended balance of the treaty funds arising under section 12 of the Act of June 7, 1897 (30 Stat. 93), between the Shoshone Tribe and the Arapaho Tribe, crediting one-half

of the total amount in the principal account to a principal trust fund account and one-half of the total amount in the interest account to an interest trust fund account for each tribe: *Provided*, That in dividing the funds there shall be taken into consideration in determining the amount to be credited to each tribe the outstanding loans made from joint trust funds to the Indians of each tribe.

Outstanding loans

SEC. 2. The Comptroller of the United States, upon request of the Secretary of the Interior, is authorized and directed to establish a trust fund account for each tribe and the Secretary of the Treasury shall make such transfer of funds on the books of his department as may be necessary to effect the purpose of section 1 of this Act: *Provided*, That interest shall accrue on the principal fund only, at the rate of 4 per centum per annum, and shall be credited to the interest trust fund accounts established by this section: *Provided further*, That all future revenues derived from the Wind River Reservation under existing law shall be divided in accordance with section 1 of this Act and credited to the principal trust fund accounts established herein.

Establishment of trust fund accounts.

Interest.

Division of future revenues.

SEC. 3. Notwithstanding any other provision of existing law, the trust funds credited to the Shoshone Tribe and the Arapaho Tribe, respectively, under the provisions of this Act shall be available for expenditure or for advance to the tribe for such purposes as may be requested by the tribal council and approved by the Secretary of the Interior or such official as may be designated by him: *Provided*, That two-thirds of said trust funds as initially established, and two-thirds of all sums credited thereto during a period of five years from and after the enactment of this Act, shall be paid on the first day of September and the first day of March each year, per capita, to the individual members of said tribes, and any sums distributed per capita out of the funds described in section 1 of this Act on or after April 1, 1947, shall be taken into consideration in determining the sums to be distributed under this proviso to the same effect as if this Act had been in force on and after April 1, 1947: *Provided further*, That said per capita payments shall not be subject to any lien or claim of any nature against any of the members of said tribes unless the tribal council of such member shall consent thereto in writing, except as to reimbursable Treasury loans made to individual members of either tribe which may be due to the United States, and except as to irrigation charges owed by individual Indians to the United States, but this latter exception shall not become operative until a report upon irrigation charges within the Wind River Irrigation Project has been made and becomes effective in accordance with the Act of July 1, 1932 (ch. 369, 47 Stat. 564).

Availability of trust funds.

Per capita payments.

Claims against payments.

25 U. S. C. § 386a.

Approved, May 19, 1947.

[CHAPTER 82]

AN ACT

May 26, 1947
[H. R. 3245]
[Public Law 76]
61 Stat. 106

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

Second Deficiency Appropriation Act, 1947.
Post, p. 118.

TITLE I—GENERAL APPROPRIATIONS

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥110

* * *

60 Stat. 353.

BUREAU OF INDIAN AFFAIRS

Education of Indians: For an additional amount, fiscal year 1947, for "Education of Indians", $250,000.

Conservation of health: For an additional amount, fiscal year 1947, for "Conservation of health", $500,000.

60 Stat. 1310.

Payment to Milton A. Johnson: For deposit by the Secretary of the Treasury to the official trust fund checking account of the special disbursing agent, Yakima Indian Agency, Toppenish, Washington, and for deposit to certain other accounts pursuant to the Act of August 7, 1946 (Private Law 863), $2,119.34.

MISCELLANEOUS INDIAN TRIBAL FUNDS

60 Stat. 361.

Relief of needy Indians (tribal funds): For an additional amount, fiscal year 1947, for "Relief of needy Indians (tribal funds)", $50,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That surplus potatoes purchased by the Commodity Credit Corporation of the Department of Agriculture may be made available to the Bureau of Indian Affairs for seed and for the relief of needy Indians and that any funds appropriated for the welfare ⊥or relief of needy Indians shall be available for the transportation of potatoes so supplied.

Availability of surplus potatoes.

⊥111

60 Stat. 362.

Support of Indian schools (tribal funds): For an additional amount, fiscal year 1947, for "Support of Indian schools (tribal funds)", $200,000.

* * *

⊥114

⊥TITLE II—INCREASED PAY COSTS

60 Stat. 35, 203, 216, 480, 716, 717, 749, 752. 39 U. S. C. §§ 856a, 862a, 862b, 867a, 877, 878; 5 U. S. C. §§ 645a, 645b, 672b–673, 902 *et seq.*; 28 U. S. C. §§ 5, 213, 241, 296, 301, 324, 597–597c. *Ante*, p. 40; *post*, p. 727.

For additional amounts for appropriations for the fiscal year 1947, to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317); May 21, 1946 (Public Law 386); May 24, 1946 (Public Law 390); July 5, 1946 (Public Law 491); July 31, 1946 (Public Laws 567, 568, and 577); and August 1, 1946 (Public Law 582); and other legislation enacted during or applicable to said fiscal year authorizing increases in pay of Government officers and employees, as follows:

* * *

⊥DEPARTMENT OF THE INTERIOR

* * *

60 Stat. 402.

⊥115

60 Stat. 348.

Bureau of Indian Affairs:

"Salaries and expenses", $132,700;

"Salaries and expenses, district offices", $35,000;

"Salaries and expenses, reservation administration", $411,700;

Post, p. 621.

"Alaska native service", $200,000;

"Education of Indians", $889,700;

⊥116

60 Stat. 354.

⊥"Conservation of Health", $610,000;

"Welfare of Indians", $9,800;

"Management, Indian forest and range resources", $89,400;

"Agriculture and stock raising", $69,200;

"Development of Indian arts and crafts", $2,700;

"Irrigation and drainage", $18,700;

"Administration of Indian tribal affairs (from tribal funds, $9,700)";

"Support of Klamath Agency, Oregon (from tribal funds, $8,400)";

"Support of Menominee Agency and pay of tribal officers, Wisconsin (from tribal funds, $4,900)";

"Support of Osage Agency and pay of tribal officers, Oklahoma (from tribal funds, $23,600)";

Approved, May 26, 1947.

[CHAPTER 84]

AN ACT

Authorizing the erection and operation of a memorial museum and shop on the Fort Hall Reservation, Idaho.

May 27, 1947
[H. R. 1584]
[Public Law 78]
61 Stat. 120

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $150,000, for the purpose of erecting a memorial museum, in commemoration of old Fort Hall, and a shop for the sale of Indian handicrafts, on land set aside for that purpose by the business council of the Shoshone-Bannock Tribes of the Fort Hall Reservation. The museum and shop shall be operated by the said tribes under supervision, management, and control of the Bureau of Indian Affairs.

Appropriation authorized

Approved, May 27, 1947.

[CHAPTER 158]

AN ACT

Authorizing certain agreements with respect to rights in helium-bearing gas lands in the Navajo Indian Reservation, New Mexico, and for other purposes.

June 27, 1947
[H. R. 3372]
[Public Law 124]
61 Stat. 189

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, acting through the Bureau of Mines, and the Navajo Tribe of Indians are authorized to enter into an agreement dated December 1, 1945, entitled "An agreement severing certain formations from oil and gas leases and substituting new leases as to those formations" and an "Amending agreement", affecting lands in the Navajo Indian Reservation, New Mexico, copies of which are published in House of Representatives Document Numbered 212, Eightieth Congress, first session; and said agreements are ratified and approved. If said Navajo Tribe of Indians shall, after investigation, deem the total consideration payable to it by the United States pursuant to such agreement dated December 1, 1945, as amended, to be in any respect less than reasonable, fair, just, and equitable, said tribe shall be entitled within three years after the date of enactment of this Act to institute suit against the United States in the Court of Claims for the recovery of such additional sum as may be necessary to compensate said tribe for the reasonable, fair, just, and equitable value of all right, interest, and property passing from said tribe to the United States under such agreement, as amended. Jurisdiction is hereby conferred upon the Court of Claims to hear and determine any suit so instituted and to enter final judgment against the United States therein for such sum, if any, in excess of the total consideration payable pursuant to such agreement, as amended, as such court may determine to be necessary to provide consideration in all respects reasonable, fair, just, and equitable. Appellate review of any judgment so entered shall be in the same manner, and subject to the same limitations, as in the case of claims over which the Court of Claims has jurisdiction under section 145 of the Judicial Code, as amended (28 U. S. C., sec. 250). Notwithstanding any contract to the contrary, not more than 10 per centum of the amount received or recovered by said tribe in satisfaction of any claim asserted under this section shall be paid to or received by any agent or attorney on account of services rendered in connection with such claim.

Navajo Tribe of Indians Agreements

Suit for recovery of additional sum

36 Stat. 1136.

SEC. 2. The Secretary of the Interior, acting through the Bureau of Mines, is authorized to enter into an agreement dated September 19, 1946, with Continental Oil Company and Santa Fe Corporation entitled "Agreement for assignments of interests in oil and gas leases and for operations on the leaseholds" and two agreements supplemental thereto, affecting lands in the Navajo Indian Reservation, New

Continental Oil Co. and Santa Fe Corp. Agreements.

Mexico, copies of which are published in House of Representatives Document Numbered 212, Eighteenth Congress, first session; and said agreements are ratified and approved.

Approved, June 27, 1947.

[CHAPTER 172]

AN ACT

June 30, 1947
[H. R. 2545]

[Public Law 138]
61 Stat. 211

To provide funds for cooperation with the school board of the Moclips-Aloha District for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Washington, to be available to both Indian and non-Indian children.

Construction, etc., of school, Moclips, Wash. Appropriation authorized.
Post, p. 699

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, $88,000 for expenditure under the direction of the Secretary of the Interior for the purpose of cooperating with the school board of Moclips-Aloha District, Grays Harbor County, Washington, for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Washington: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the school maintained by the said district in the said building shall be available to all Indian children of the district on the same terms, except as to payment of tuition, as other children of said school district: *And provided further*, That any amount expended hereunder shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the building, through reducing the annual Federal payments for ⊥the education of Indian pupils enrolled in public or high schools of the district involved or by the acceptance of Indian pupils in said schools without cost to the United States, and in computing the amount of recoupment, interest at 3 per centum per annum shall be included on any unrecouped balances.

Availability of school to Indian children.

Recoupment.

⊥212

Approved, June 30, 1947.

[CHAPTER 211]

AN ACT

July 9, 1947
[H. R. 3311]

[Public Law 166]
61 Stat. 279

Making appropriations for the Departments of State, Justice and Commerce, and the Judiciary, for the fiscal year ending June 30, 1948, and for other purposes.

Departments of State, Justice, and Commerce, and the Judiciary Appropriation Act, 1948.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1948, namely:

TITLE I—DEPARTMENT OF STATE

Department of State Appropriation Act, 1948.

* * *

⊥INTERNATIONAL OBLIGATIONS AND ACTIVITIES

⊥282
Post, p. 623.

United States contributions to international commissions, congresses, and bureaus: For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts as follows:

* * *

56 Stat. 1303

Inter-American Indian Institute (Convention of November 29, 1940), $4,800;

* * *

⊥283

⊥ . . . total, $3,557,661, together with such additional sums, due to

increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

* * *

Approved, July 9, 1947.

[CHAPTER 235]

AN ACT

To provide for the construction, extension, and improvement of public-school buildings in Owyhee, Nevada.

July 11, 1947
[S. 686]

[Public Law 182]
61 Stat. 315

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of not to exceed $300,000 for the construction, extension, improvement, and equipment of school buildings in Owyhee, Nevada: *Provided*, That plans and specifications for the construction, extension, and improvement of the said school buildings shall be furnished by the Commissioner of Indian Affairs: *And provided further*, That the said school buildings so constructed, extended, and improved shall be the property of the United States and shall be turned over to the Owyhee Public School District under the provisions of the Act of April 16, 1934 (48 Stat. 596), as amended by the Act of June 4, 1936 (49 Stat. 1458), and shall be made available to all Indian children of the said district on the same terms, except as to the payment of tuition, as to other children of said school district.

Owyhee, Nev.
Appropriation authorized for construction, etc., of schools.

Plans, etc.

25 U. S. C. §§ 452-457.

Approved, July 11, 1947.

[CHAPTER 304]

AN ACT

To amend the Act approved May 7, 1934, granting citizenship to the Metlakahtla Indians of Alaska.

July 23, 1947
[H. R. 205]

[Public Law 221
61 Stat. 414]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of May 7, 1934, entitled "An Act granting citizenship to the Metlakahtla Indians of Alaska" (48 Stat. 667) is hereby amended to read as follows:

Metlakahtla, etc., Indians of Alaska.

8 U. S. C. § 601 note.

"That the Indians of the Tsimshian Tribe, and those people known as Metlakahtlans, who emigrated from Metlakahtla, British Columbia, Canada to Annette Island, in the Alexander Archipelago in southeastern Alaska in the year 1887, and there established a colony known as Metlakahtla, Alaska, and any and all other British Columbia Indians who joined them there not later than January 1, 1900, and have since resided continuously in the Territory of Alaska, having been faithful and loyal to the Constitution, laws, and the Government of the United States, are hereby declared to be citizens of the United States."

U. S. citizenship.

SEC. 2. That the first sentence of section 339 of the Nationality Act of 1940, approved October 14, 1940, as amended (54 Stat. 1160; 58 Stat. 4; 8 U. S. C. Supp. 739), is hereby amended to read as follows:

"SEC. 339. A person who claims to have derived United States citizenship through the naturalization of a parent or through the naturalization or citizenship of a husband, or who is a citizen of the United States by virtue of the provisions of section 1993 of the United States Revised Statutes, or of section 1993 of the United States Revised Statutes as amended by section 1 of the Act of May 24, 1934 (48 Stat. 797), or who is a citizen of the United States by virtue of the provisions of section 201 (c), (d), (e), and (g) of the Nationality Act of 1940 (54 Stat. 1138; U. S. C., title 8, sec. 601), or of the Act of May 7,

Certificate of citizenship.

8 U. S. C. § 601 (c), (d), (e), (g), and note.

1934 (48 Stat. 667), may apply to the Commissioner for a certificate of citizenship."

Approved, July 23, 1947.

[CHAPTER 306]

AN ACT

July 24, 1947
[H. R. 1882]

[Public Law 223]
61 Stat. 414

For expenditure of funds for cooperating with the public-school board at Walker, Minnesota, for the extension of public-school facilities to be available to all Indian children in the district.

Walker, Minn.
Appropriation authorized for school facilities

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, an additional sum of $35,000 for the purpose
1415
of cooperating with Independent School District Numbered 5, Cass County, Minnesota, at Walker, Minnesota, for the construction, extension, equipment, and improvement of public-school facilities at Walker, Minnesota, as authorized by the Act of July 1, 1940 (54 Stat. 707, 708): *Provided,* That the expenditure of the additional amount herein authorized to be appropriated shall be subject to the same terms, conditions, and requests contained in the Act of July 1, supra.

Approved, July 24, 1947.

[CHAPTER 311]

AN ACT

July 24, 1947
[H. R. 734]

[Public Law 227]
61 Stat. 416

To amend the Act of February 12, 1925, and for other purposes.

Claims of Indian tribes in Washington

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved February 12, 1925 (43 Stat. 886), entitled "An Act authorizing certain Indian tribes, or any of them, residing in the State
1417
of Washington to submit to the Court of Claims certain claims growing out of treaties or otherwise", be, and the same is hereby, amended by adding thereto the following sections:

Quinaielt Tribe

"SEC. 4. That in the action now pending before the Court of Claims entitled "The Quinaielt Tribe of Indians versus the United States", numbered L–23, instituted pursuant to the provisions of this Act, the Quinaielt Tribe is hereby declared to be the proper party plaintiff for the purpose of further proceedings in that action, and for the purpose of prosecuting the action to a final conclusion on behalf of all Indians having rights in the Quinaielt Reservation as established under the treaty of July 1, 1855, and January 25, 1856 (12 Stat. 971), the Executive order of November 4, 1873, and any subsequent acts of Congress.

Compensation of attorneys

"SEC. 5. That the Court of Claims is authorized and directed, notwithstanding any other provision of this Act, to ascertain what attorney or attorneys have performed services for the Indians of the Quinaielt Reservation in the aforesaid action, and in conformity with the contract of employment, approved by the Secretary of the Interior on November 30, 1937, to determine the compensation of the attorney or attorneys on the basis of quantum meruit but not exceeding in the aggregate 10 per centum of the amount of the judgment, if any, to be

Deposit of proceeds

entered in said action. The proceeds of the judgment, less the amount deductible for attorneys' compensation and the amount deductible for necessary and proper expenses, shall be deposited in the Treasury of the United States to the credit of the Indians having rights in the Quinaielt Reservation as established under the treaty of July 1, 1885, and January 25, 1856 (12 Stat. 971), the Executive order of November 4, 1873, and any subsequent Acts of Congress: *Provided,* That the plaintiff in the aforesaid pending action may amend its petition to

conform to this Act and the Act of August 13, 1946 (Public, 726, Seventy-ninth Congress).

60 Stat. 1049.
25 U. S. C. §§ 70, 70a

Approved, July 24 ,1947.

[CHAPTER 312]

AN ACT

July 24, 1947
[H. R. 1337]

Authorizing a per capita payment of $50 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

[Public Law 228]
61 Stat. 417

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. L. 137), to the credit of the Red Lake Indians in Minnesota, and to make therefrom a per capita payment or distribution of $50 to each of the members of the Red Lake Band of Chippewa Indians of the State of Minnesota, living at the date of the passage of this Act, immediately payable upon the passage of this Act, under such rules and regulations as the said Secretary may prescribe: *Provided*, That the money paid to the Indians as authorized herein shall not be subject to any lien or claim of attorneys or other parties: *Provided further*, That before any payment is made hereunder, the Red Lake Band of Chippewa Indians in Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify the provisions of this Act and accept same.

Red Lake Band of Chippewa Indians, Minn.
Per capita payments.

Ratification of Act.

Approved, July 24, 1947.

[CHAPTER 314]

AN ACT

July 24, 1947
[H. R. 2097]

To declare the ownership of the timber on the allotments on the Northern Cheyenne Indian Reservation, and to authorize the sale thereof.

[Public Law 230]
61 Stat. 418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Act of June 3, 1926 (44 Stat. 690), the timber on the allotments on the Northern Cheyenne Indian Reservation, whether or not the lands were hitherto classified as chiefly valuable for timber, are hereby declared to be the property of the allottees and may hereafter be sold pursuant to the provisions of section 8 of the Act of June 25, 1910 (36 Stat. 857; 25 U. S. C., sec. 406). Nothing contained in this Act shall be construed to require the payment to the allottees of the proceeds of sales made prior to the passage of this Act.

Northern Cheyenne Indian Reservation.
Sale of timber, etc.

Approved, July 24, 1947.

[CHAPTER 315]

AN ACT

July 24, 1947
[H. R. 2825]

To provide additional funds for cooperation with public-school districts (organized and unorganized) in Mahnomen, Itasca, Pine, Becker, and Cass Counties, Minnesota, in the construction, improvement, and extension of school facilities to be available to both Indian and white children.

[Public Law 231]
61 Stat. 418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the amount authorized to be appropriated by the Act of October 8, 1940 (Public, Numbered 804, Seventy-sixth Congress), there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $213,000 for the purpose of cooperating with the following public-school districts (both organized and unorganized) in the State of Minnesota, such appropriation to be

Minnesota.
Appropriation authorized for school facilities.
54 Stat. 1020.

apportioned as follows: Naytahwaush, Independent School District Numbered 29, Mahnomen County, $146,000; Inger, District Numbered 6 (Deer River), Itasca County, $12,500; Lake Lena, District Numbered 129, Pine County, $12,500; Pine Point, District Numbered 133, Becker County, $27,000; Squaw Point area, unorganized territory, Cass County, $15,000; for the construction, extension, equipment, and improvement of public-school facilities: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the schools maintained by these said districts in the said buildings shall be available to all Indian children of the districts, on the same terms, except as to payment of tuition, as other children of said school districts: *Provided further*, That plans and specifications for construction, extension, or improvement of structures shall be furnished by local or State authorities without cost to the United States Government, and upon approval thereof by the Commissioner of Indian Affairs, actual work shall proceed under the direction of such local or State officials. Payment for work in place shall be made monthly on vouchers properly certified by local officials of the Indian Service: *Provided further*, That any amount expended on any project hereunder, title to which will, after recoupment is accomplished, vest in the public school district, shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the project, through reducing the annual Federal payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such schools without cost to the United States, and in computing the amount of recoupment for each project interest at 3 per centum per annum shall be included on unrecouped balances: *And provided further*, That not to exceed 10 per centum of the amount allocable to any of the several above-named districts may be transferred in the discretion of the Commissioner of Indian Affairs, to the amount of any other of the above-mentioned projects, but no project shall be increased more than 10 per centum by any such transfer.

Availability of schools to Indian children.

Plans and specifications.

Payment for work.

Recoupment by U. S.

Transfer of funds

Approved, July 24, 1947.

[CHAPTER 327]

JOINT RESOLUTION

To terminate certain emergency and war powers.

July 25, 1947
[S. J. Res. 123]

[Public Law 239]
61 Stat. 449

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following statutory provisions are hereby repealed:

Repeals

* * *

⊥1450

⊥The provision in the Interior Department Appropriation Act, 1945, under the heading "Water conservation and utilization projects", relating to the use of the services or labor of prisoners of war, enemy aliens, and American-born Japanese (58 Stat. 463, 491):

* * *

16 U. S. C. § 631r.

Section 19 of the Act of February 26, 1944 (58 Stat. 104):

* * *

23 U. S. C. § 105.

The provisions of the Act of November 19, 1941 (55 Stat. 765), as amended, relating to the availability for obligation of funds appropriated pursuant to said Act, as amended, except that such funds shall remain available for the completion of access road projects which are now under construction.

Road projects under construction.

* * *

⊥1451

Effective dates of repeal, etc.

⊥SEC. 2. Notwithstanding the termination date or termination period heretofore provided therefor by law, the following statutory provisions are repealed effective upon the date hereinafter specified,

or upon the expiration of the period hereinafter specified, and shall remain in full force and effect until such date or until the expiration of such period. Such statutory provisions are hereby amended accordingly:

* * *

⊥Section 2 of the Act of August 8, 1946 (Public Law 697, Seventy-ninth Congress): ⊥453

60 Stat. 958.
42 U. S. C. § 1524.

* * *

Approved, July 25, 1947.

[CHAPTER 328]

AN ACT

July 25, 1947
[H. R. 2484]
[Public Law 240]
61 Stat. 455

To authorize the payment of certain sums to jobbers in connection with their logging of timber for the Menominee Indians on the Menominee Reservation during the logging season 1934–35, and for other purposes.

Menominee Indian Mills.
Payment for logging of timber.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to pay to the Menominee Indian Mills to the credit of the several accounts of Herman J. Fredenberg; Walter J. Peters, Senior; Charles J. Frechette; Joe Gristeau, Junior; James Tebeau; Joe Caldwell, Senior; John R. Pecore; Roy Oshkosh; Louis Tucker, Junior; James Warrington; Alexander Waupoose; Bernard Grignon; Earl Vaughn; Louis Washinawatok; Reuben Long; Nahpone Perote; George Smith; Paul Vigue, Senior, and Louis Vigue, operating as a partnership; Dan Wescott and Paul Vigue, Junior, operating as a partnership; and the estates of George Irving; Louis Kinepoway; John Tucker, Senior; Dominic Worden; John Mosehart; George Caldwell, John Okimosh; Anton Shawanometta; Mrs. Lillian Oshkosh, Louis Corn out of the Menominee 4 per centum fund, the sum of $1 for each one thousand feet of timber respectively logged by said parties on the Menominee Reservation during the logging season of 1934–35 according to the schedule prepared by the Menominee Indian Mills which schedule shall be approved by the general council of the Menominee Tribe. Said accounts shall be credited against the amounts, if any, respectively owed the Menominee Indian Mills by said parties without taking into account any procedural defenses of a personal nature which might have been interposed in an action at law to collect such debts, and the balance, if any, shall be paid to said parties or their heirs: *Provided, however*, That the foregoing amounts shall be in full payment of any and all claims which said parties may claim to have by reason of promises made by officers of the Menominee Indian Mills for the logging of timber during the logging season of 1934–35.

Settlement of claims.

SEC. 2. The Secretary of the Interior, or his duly authorized representative, is hereby authorized with the concurrence of the general council of the Menominee Indian Tribe to cancel any balance still due to the Menominee Indian Mills by any of the jobbers listed in section 1, after the amount allowable under the said section has been credited, if in his judgment the balance of the claim is uncollectible or inequitable.

Cancellation of balance due.

SEC. 3. The said Secretary, or his duly authorized representative, with the concurrence of the advisory council of the Menominee Indian Tribe may cancel other obligations due or which may become due to the Menominee Indian Mills when in his judgment such obligations are uncollectible.

Cancellation of other obligations.

Approved, July 25, 1947.

[CHAPTER 334]

AN ACT

July 25, 1947
[H. R. 3323]
[Public Law 246]
61 Stat. 459

To enable the Osage Tribal Council to determine the bonus value of tracts offered for lease for oil, gas, and other mining purposes, Osage Mineral Reservation, Oklahoma.

Osage Indians, Okla.
Determination of bonus value of certain tracts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third paragraph of section 3 of the Act entitled "An Act relating to the tribal and individual affairs of the Osage Indians of Oklahoma", approved ⊥June 24, 1938 (52 Stat. 1034), is amended by striking out the colon following the phrase "as may be deemed for the best interest of the Osage Tribe of Indians" and inserting in lieu of said colon the following clause: "and the Osage tribal council may determine the bonus value of any tract offered for lease for oil, gas, and other mining purposes on any unleased portion of said land, and such determination shall be final:".

⊥1460

Approved, July 25, 1947.

[CHAPTER 337]

AN ACT

July 25, 1947
[H. R. 3123]
[Public Law 247]
61 Stat. 460

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1948, and for other purposes.

Interior Department Appropriation Act, 1948.
Ante, pp. 118, 187, 188, 245, 361, *post*, pp. 608, 609, 620, 621, 699, 943.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1948, namely:

* * *

⊥1463

⊥BUREAU OF LAND MANAGEMENT

* * *

⊥1464

⊥Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (30 U. S. C. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (30 U. S. C. 191), $3,500: *Provided,* That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

42 Stat. 1448.
30 U. S. C. §§ 230–236.

41 Stat. 450.
Ante, p. 119.

48 Stat. 1227.
31 U. S. C. § 725c.

* * *

BUREAU OF INDIAN AFFAIRS

Salaries and expenses, general administration: For expenses necessary for the general administration of the Bureau of Indian Affairs, including departmental personal services in the District of Columbia and elsewhere; rental of office equipment and the purchase of necessary ⊥supplies therefor; purchase of office furniture and equipment in addition to that which may be purchased from the appropriation for contingent expenses of the Department; printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, $750,000.

⊥1465

Salaries and expenses, district offices: For necessary expenses of district offices for the administration and supervision of Indian Service activities, including printing and binding, $500,000.

Salaries and expenses, reservation administration: For necessary expenses of reservation administration, including the maintenance of

law and order among Indians, and pay of employees authorized by continuing or permanent treaty provisions, $2,000,000.

Alaska native service: For expenses necessary to provide for the support, rehabilitation, education, conservation of health, development of resources, and relief of destitution of the natives of Alaska; the repair, rental, and equipment of school, hospital, and other buildings; the purchase or erection of range cabins; the hire, repair, equipment, maintenance, and operation of vessels; and for the administration of the Alaska native service, $3,500,000. *Post*, p. 943.

Purchase and transportation of Indian supplies: For advertising, inspection, storage, printing and binding, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $660,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Maintenance of buildings and utilities: For expenses necessary to maintain buildings in the Indian Service, including the lease, purchase, construction (not to exceed $1,500 for any one building), repair and improvement of buildings; the installation, repair, and improvement of utility systems, $665,000.

Education of Indians: For the support and education of Indian pupils in boarding and day schools and for other educational purposes, including educational facilities authorized by treaty provisions; tuition, care, and other expenses of Indian pupils attending public and private schools; support and education of deaf, dumb, blind, mentally deficient, or physically handicapped; the tuition (which may be paid in advance) and other assistance of Indian pupils attending vocational or higher educational institutions under such regulations as the Secretary may prescribe; printing and binding (including illustrations); the support of an arts and crafts building at Anadarko, Oklahoma, and Indian museums at Rapid City, South Dakota, and Browning, Montana, and on the Fort Apache Reservation, Arizona; $11,139,700: *Provided*, That payment of tuition and care of Indian pupils may be made from date of admission. Payment of tuition, etc.

Conservation of health: For expenses necessary for the conservation of health among Indians, transportation of patients and attendants to and from hospitals and sanitoria; returning to their former homes and interring the remains of deceased patients; clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of travel expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and printing and binding, $7,000,000. *Post*, p. 621.

⊥Welfare of Indians: For welfare services, including general support, relief of needy Indians, boarding home care of Indian children, institutional care of delinquent children, and payment of per diem, in lieu of subsistence, and other expenses of Indians participating in folk festivals, $498,710: *Provided*, That payment for the care of Indians may be made from the date of service. ⊥466 *Post*, p. 943.

Management, Indian forest and range resources: For the management and protection of forest, range, and wildlife resources on Indian reservations and allotments other than the Menominee Indian Reservation, Wisconsin, including the payment of reasonable rewards for information leading to the arrest and conviction of any person or persons setting forest or range fires, or taking or destroying timber, in violation of law on Indian lands; the establishment of cooperative sustained yield forest units pursuant to the Act of March 29, 1944 (16 U. S. C. 583); and the development, repair, maintenance, and operation 58 Stat. 132. 16 U. S. C. §§ 583–583i.

of domestic and stock water facilities, $801,500: *Provided*, That the United States shall be reimbursed for expenditures made from this appropriation for expenses incident to the sale of timber to the extent prescribed in regulations promulgated by the Secretary pursuant to the Act of March 4, 1933 (25 U. S. C. 413).

47 Stat. 1417.

Suppressing forest and range fires: For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, $12,000, which amount shall be available also for meeting obligations of the preceding fiscal year: *Provided*, That appropriations herein made for the Indian Service shall be available upon the approval of the Secretary for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Agriculture and stock raising: For the development of agriculture and stock raising among the Indians, including agricultural experiments and demonstrations and maintenance of a supply of suitable plants or seed for issue to Indians; the operation and maintenance of a sheep breeding station on the Navajo Reservation; the expenses of Indian fairs, including premiums for exhibits; and the control and eradication of fever ticks and contagious diseases among livestock of Indians, $853,000.

Navajo Reservation, sheep and breeding station.

Acquisition of lands for Indian tribes: For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (25 U. S. C. 465), $150,000: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations except for the Alamo Band of the Puertocito Indians in the State of New Mexico and for the Rapid City Band of Sioux Indians in the State of South Dakota: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Montana, Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations except such sum as may be necessary to purchase in the name of the United States in trust thirty-four and one-half acres of land at Celilo Falls, Oregon, for the use of the Yakima Indian Tribes, the Umatilla Indian Tribes, the Confederated Tribes of the Warm Springs Reservation, and other Colombia River Indians affiliated with the aforementioned tribes and entitled to enjoy fishing rights at their old and accustomed fishing sites at or in the vicinity of Celilo Falls on the Columbia River.

48 Stat. 985. Restrictions.

Montana, Nevada, Oregon, and Washington.

1467

Development of Indian arts and crafts: For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (25 U. S. C., ch. 7A), including expenses of exhibits, not to exceed $2,500 for printing and binding, and other necessary expenses, $34,800, of which not to exceed $15,500 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $8,180 per annum.

49 Stat. 891. 25 U. S. C. §§ 305-305e.

Salary limitation.

Irrigation: For the maintenance, operation, repair, and improvement of irrigation and power systems for Indian reservations and allotments; payment of operation and maintenance assessments on Indian lands and within non-Indian irrigation districts; payment of reclamation charges; purchase of water and water rights; including the purchase or rental of equipment, tools and appliances; drainage and protection of irrigable lands from damage by floods or loss of water rights; and for all other necessary expenses, $406,000, of which $337,833 shall be reimbursable in accordance with existing law.

Construction, and so forth, irrigation systems: For the construction, rehabilitation, and improvement of irrigation systems on Indian reser-

vations; the purchase or rental of equipment, tools, and appliances; the acquisition of rights-of-way; the development of domestic and stock water and water for subsistence gardens; the purchase of water rights, ditches, and lands needed for irrigation purposes; drainage and protection of irrigable lands from damage by floods or loss of water rights; preparation of raw reservation lands for irrigation farming, expenditures for which shall be repayable on a per acre basis by the lands benefited; as follows:

Arizona: Colorado River,$450,000; Navajo, Arizona and New Mexico, $180,000; Salt River, $50,000;

Colorado: Southern Ute, $10,000;

Idaho: Fort Hall, $40,000;

Montana: Fort Belknap, $6,250; Fort Peck, $34,000; Tongue River, $9,750;

New Mexico: United Pueblos, $17,500;

Oregon: Klamath, $7,500;

Wyoming: Wind River, $15,000;

Miscellaneous small projects, $92,500;

For surveys and investigations, $100,000;

In all, $1,012,500, reimbursable in accordance with law, and to remain available until completion of the projects: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Commissioner of Indian Affairs, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 10 per centum.

Interchange of appropriations

Construction, and so forth, buildings and utilities: For the construction, repair, or rehabilitation of Indian Service buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way; purchase of furniture, furnishings, and equipment; private architectural and engineering services; and water explorations; as follows:

Post, p. 699

Alaska: Schools, hospitals, dock repairs, and quarters, $400,000;

Fort Belknap, Montana: Water improvements, $20,000;

Haskell Institute, Kansas: Replacement of boiler, repairs and improvements to heating system, $18,000;

Navajo, Arizona and New Mexico: Mexican Springs or Coyote Canon day school conversion, $150,000; Toadlena school development, $200,000;

⊥Red Lake, Minnesota: School, $46,000;

⊥468

Shawnee Sanatorium, Oklahoma: Water improvements, $27,000;

United Pueblos, New Mexico: Improvements to heating system, $11,000;

Various locations: Employees' quarters, $300,000; major repairs and improvements, $500,000;

For surveys and plans and administrative expenses, private architect and engineering service and water explorations, including personal services in the District of Columbia and printing and binding, $150,000;

In all, $1,822,000, to remain available until completion of the projects: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer.

Transfer of funds

Roads: For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Act of May 26, 1928 (25 U. S. C. 318a) and the Act of December 20, 1944 (Public Law 521), $3,000,000, to remain available until expended, of which amount not to exceed $9,000 may be expended for departmental personal services.

45 Stat. 750, 58 Stat. 838.
23 U. S. C. §§ 60-63

Highway, Gallup-Shiprock, Navajo Reservation: For maintenance

and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, and that portion of the State highway in New Mexico between Gallup, New Mexico, and Window Rock, Arizona, serving the Navajo Reservation, $20,000, reimbursable, as authorized by the Act of May 28, 1941 (55 Stat. 207).

Senecas, N. Y.

Fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Six Nations, N. Y.
7 Stat. 46.

Fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla.
7 Stat. 99.
11 Stat. 614
7 Stat. 213
7 Stat. 212, 236
7 Stat. 235

Fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Pawnees, Okla.
11 Stat. 729, 27 Stat. 644.

Fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Payment to Indians of Sioux Reservations: For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $150,000.

Payment of interest on Indian trust funds: For payment of accrued and accruing interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $1,722,000.

Proceeds from power: Not to exceed the amount of power revenues covered into the Treasury to the credit on each of the power projects shall be available for the purposes authorized by section 3 of the Act of August 7, 1946 (Public Law 647), in connection with the respective projects from which such revenues are derived.

60 Stat. 895
31 U. S. C. § 725s-3

⊥MISCELLANEOUS INDIAN TRIBAL FUNDS

⊥469

Administration of Indian tribal affairs (tribal funds): For expenses of administering the affairs and property of Indian tribes, including pay and travel expenses, $304,800, payable from funds held by the United States in trust for the particular tribe benefited; not to exceed $50,000 for any one tribe.

Travel expenses.

Klamath Agency, Oreg.

Support of Klamath Agency, Oregon (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Klamath Agency, payable from funds held by the United States in trust for the Klamath Tribe of Indians, Oregon, $150,000 of which not to exceed $4,500 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary, and for relief, including cash grants.

Menominee Agency, Wis.

Support of Menominee Agency and pay of tribal officers, Wisconsin (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Menominee Agency, Wisconsin, payable from funds held by the United States in trust for the Menominee Tribe of Indians, Wisconsin, $147,500, including $30,000 for relief of Indians in need of assistance, including cash grants; scholarships (not to exceed $1,000); and $5,200 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary: *Provided*, That not to exceed $9,000 shall be available from the funds of the Menominee

Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee advisory council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of the superintendent of the agency, a curator for the Osage Museum, at a salary of $1,954, which employee shall be an Osage Indian, appointed with the approval of the Osage Tribal Council, and of necessary employees, and pay of tribal officers; not to exceed $2,000 for the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, and printing, $202,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That of the said sum herein appropriated $7,500 is hereby made available for travel and other expenses of members of the Osage Tribal Council, business committees, or other tribal organizations, when engaged on business of the tribe, including supplies and equipment, not to exceed $10 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Osage Agency, Okla

Travel, etc., expenses

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, and for salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries of $3,000 each for the ⊥said governor, said chief, and said mining trustee, chief of the Creek Nation at $1,200 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Five Civilized Tribes, Okla

⊥470

Limitation

Expenses of tribal councils or committees thereof (tribal funds): For travel and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs, except that the Shoshone and Arapahoe Tribes of Wyoming may not exceed $8 per diem and when in the District of Columbia or Chicago, Illinois, $10 per diem as heretofore provided, $73,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in the District of Columbia or Chicago, Illinois, for more than an eight-day period, unless the Secretary shall in writing approve a longer period.

Restriction

Relief of needy Indians (tribal funds): For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $112,000, payable from funds on deposit to the credit of the particular tribe concerned:

41 U. S. C. § 5
18 U. S. C. §§ 744a–744h.

Provided, That expenditures hereunder may be made without regard to section 3709, Revised Statutes, as amended, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

Compensation and expenses of attorneys (tribal funds): For compensation and expenses of attorneys employed by various tribes of Indians under contracts to be approved by the Secretary of the Interior, $33,580, payable from funds on deposit in the United States Treasury to the credit of the particular Indian tribe concerned.

Purchase and lease of lands (tribal funds): For the purchase of land and improvements on land; lease of lands and water rights; and necessary expenses incident thereto, $124,000, payable from funds held in trust for the particular tribe concerned, to remain available until expended: *Provided*, That title to any lands or improvements so purchased shall be taken in the name of the United States in trust for the tribe for which purchased: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Montana, Nevada, Oregon, South Dakota, and Washington either inside or outside the boundaries of existing Indian reservations.

Restriction.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of land, seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, $250,000, payable from tribal funds as follows: Colville, Washington, $150,000; Menominee, Wisconsin, $100,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1947 are hereby continued available during the fiscal year 1948 for the purposes for which they were appropriated: *Provided*, That ⊥advances may be made to worthy Indian youth to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years under such regulations as the Secretary may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1948 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary: *Provided further*, That enterprises operated under the authority contained in the foregoing proviso shall be governed by the regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Funds continued available
59 Stat. 326.
Educational loans
⊥471
Availability of funds.
Tribal enterprises.
Regulations
48 Stat. 986
Advances
48 Stat. 986.

Pima cropping operations (tribal funds): For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed $200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Suppressing forest and range fires (tribal funds): For the suppres-

sion or emergency prevention of forest and range fires on or threatening Indian reservations, $25,000, payable from funds held by the United States in trust for the respective tribes interested.

Support of Indian schools (tribal funds): For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf, dumb or blind, physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than $512,000: *Provided*, That payment may be made from the date of admission for such tuition and care of Indian pupils. 44 Stat. 560. Payment for tuition, etc.

Vehicles: Not to exceed $450,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of passenger motor vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and applicable appropriations may be used for the purchase of not to exceed two hundred and five passenger motor vehicles, and such vehicles may be used for the transportation of Indian school pupils.

Replacement of property destroyed by fire, flood, or storm: To meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for education of Indians, maintenance of buildings, reservation administration, the Alaska native service, and conservation of health among Indians shall be available, upon approval of the Secretary, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Bureau of Indian Affairs ⊥above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget. ⊥472

Appropriations herein made for reservation administration, education of Indians, and conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Bureau of Indian Affairs. Supplies, etc.

Appropriations herein made for the Bureau of Indian Affairs shall be available for travel expenses and the purchase of ice for official use of employees. Travel expenses, etc.

The following appropriations herein made for the Bureau of Indian Affairs shall be available for hire, maintenance, and operation of aircraft: "Management, Indian forest and range resources"; "Suppressing forest and range fires"; "Alaska native service"; and "Salaries and expenses, reservation administration". Aircraft.

⊥FISH AND WILDLIFE SERVICE ⊥485

SALARIES AND EXPENSES

For expenses necessary in conducting investigations and carrying out the work of the Service, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

* * *

⊥Operation and maintenance of fish screens: For operation and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on ⊥486

Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission, $36,300.

* * *

⊥1491

⊥GENERAL PROVISIONS

Purchase, etc., of vehicles.

SEC. 2. Appropriations herein made shall be available for the purchase of vehicles generally known as quarter-ton or half-ton pick-up trucks and as station wagons without such vehicles being considered as passenger motor vehicles.

Emergency employment of aliens

SEC. 3. Notwithstanding any provision of law to the contrary, aliens may be employed during the fiscal year 1948 in the field service of the Department for periods of not more than thirty days in cases of emergency caused by fire, flood, storm, act of God, or sabotage.

Attendance at meetings

SEC. 4. Appropriations herein made for the following bureaus and offices shall be available for expenses of attendance of officers and employees at meetings or conventions of members of societies or associations concerned with their work in not to exceed the amounts indicated: Office of the Secretary, $600; Oil and Gas Division, $100; Bureau of Land Management, $300; Bureau of Indian Affairs, $1,000; Bureau of Reclamation, $6,000; Geological Survey, $2,000; Bureau of Mines, $2,000; National Park Service, $1,000; Fish and Wildlife Service, $1,750; and soil and moisture conservation operations (all bureaus), $500.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government

SEC. 5. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*,

Affidavit

That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence; *Provided further*,

Penalty.

That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the

⊥1492

⊥Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*,

Emergency employment.

That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That in cases of emergency, caused by fire, flood, storm, act of God, or sabotage, persons may be employed for periods of not more than thirty days and be paid salaries and wages without the necessity of inquiring into their membership in any organization.

Jackson Hole National Monument.

SEC. 6. No part of any appropriation contained in this Act shall be used directly or indirectly by way of wages, salaries, per diem or otherwise, for the performance of any new administrative function or the enforcement or issuance of any rule or regulation occasioned by

the establishment of the Jackson Hole National Monument as described in Executive Proclamation Numbered 2578, dated March 15, 1943. 57 Stat. 731.

SEC. 7. Limitations on amounts to be expended for personal services under appropriations in this Act shall not apply to lump-sum leave payments pursuant to the Act of December 21, 1944 (Public Law 525). 58 Stat. 845. 5 U. S. C. §§ 61b–61e.

SEC. 8. Notwithstanding the provisions of Reorganization Plan Numbered 3 of 1946, no part of any appropriation contained in this Act shall be used, transferred, or allocated for the expenses or salaries of any regional, field, or other office or committee to perform any function of the Bureau of Land Management now being performed in the District of Columbia, or for the transfer or removal of any functions or duties of the said Bureau, including tract books heretofore held and administered in the District of Columbia, out of the District of Columbia, unless specific approval therefor has been given by the Congress prior to the establishment of such office or committee or prior to such transfer or removal. 60 Stat. 1097. 5 U. S. C. § 133y–16 note.

SEC. 9. Appropriations herein made shall be available for payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 10. Appropriations in this Act shall be available for health service programs as authorized by the Act of August 8, 1946 (Public Law 658). 60 Stat. 903. 5 U. S. C. § 150.

SEC. 11. Not to exceed a total of $1,000,000 of the appropriations contained in this Act shall be available for expenditure for the compensation of employees engaged in personnel work: *Provided*, That for purposes of this section employees will be considered as engaged in personnel work if they spend half time or more on personnel administration consisting of recruitment and appointments, placement, position classification, training, and employee relations. Employees engaged in personnel work

* * *

Approved, July 25, 1947.

[CHAPTER 340]

AN ACT

July 26, 1947
[S. 753]

To authorize the Secretary of the Interior to defer the collection of certain irrigation construction charges against lands under the Flathead Indian irrigation project.

Public Law 250]
61 Stat. 494

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provisions of the Act entitled "An Act to authorize the Secretary of the Interior to investigate and adjust irrigation charges on irrigation lands within projects on Indian reservations, and for other purposes", approved June 22, 1936 (49 Stat. 1803), the Secretary of the Interior is authorized and directed to defer the collection of irrigation construction charges on the Flathead Indian irrigation project until January 1, 1949. Flathead Indian irrigation project. 25 U. S. C. §§ 389–389e.

Approved, July 26, 1947.

[CHAPTER 359]

AN ACT

July 30, 1947
[H. R. 3839]

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1948, and for other purposes.

[Public Law 269]
61 Stat. 585

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1948, namely: Independent Offices Appropriation Act, 1948. *Ante*, pp. 118, 187, 188, 244, 245, 361; *post*, pp. 607, 608, 609, 612, 696, 697.

TITLE I

* * *

1592 FEDERAL WORKS AGENCY

* * *

1597 PUBLIC-LANDS HIGHWAYS

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the Act of June 24, 1930 (23 U. S. C. 3), $3,000,000, to be immediately available and to remain available until expended, which sum is composed of $1,000,000, the remainder of the amount authorized for the fiscal year 1941 by section 6 of the Act of June 8, 1938 (52 Stat. 635); $500,000, the remainder of the amount authorized for the fiscal year 1942 by section 7 of the Act of September 5, 1940 (54 Stat. 869); and $1,500,000, the amount authorized for the fiscal year 1943 by said section 7.

46 Stat. 805.

23 U. S. C. § 3b.

* * *

Approved, July 30, 1947.

[CHAPTER 361]

July 30, 1947
[H. R. 4269]

[Public Law 271]
61 Stat. 610

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

The Supplemental Appropriation Act, 1948.

Ante, pp. 118, 187, 245, 361, 608, 609, *post*, pp. 695, 703, 941.

* * *

1615 INDEPENDENT OFFICES

* * *

1616 INDIAN CLAIMS COMMISSION

60 Stat. 1049.
25 U. S. C. §§ 70–70v, 28 U. S. C. §§ 259, 259a.

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1946 (Public Law 726), creating an Indian Claims Commission, including personal services in the District of Columbia; printing and binding; and penalty mail costs as required by the Act of June 28, 1944, $150,000.

58 Stat. 394.

39 U. S. C. §§ 321c–321h.

Ante, p. 450.

* * *

1620 DEPARTMENT OF THE INTERIOR

* * *

60 Stat. 354.

BUREAU OF INDIAN AFFAIRS

Purchase and transportation of Indian supplies: For an additional amount, fiscal year 1947, for "Purchase and transportation of Indian supplies", $400,000.

1621 The funds appropriated under title II of the Second Deficiency Appropriation Act, 1947, to meet increased pay costs under the appropriation title "Education of Indians, 1947", may also be used for payment of tuition for Indian children enrolled in public schools.

Ante, p. 115.

Ante, p. 465.

Conservation of health: For an additional amount for "Conservation of health", $302,300.

MISCELLANEOUS INDIAN TRIBAL FUNDS

Expenses of tribal councils or committees thereof (tribal funds): For an additional amount, fiscal year 1947, for "Expenses of tribal councils

or committees thereof (tribal funds)", $10,000 payable from funds on deposit to the credit of the particular tribe interested. 60 Stat. 360

* * *

Approved, July 30, 1947.

[CHAPTER 389]

AN ACT

July 30, 1947
[H. R. 1566]

To codify and enact into positive law title 4 of the United States Code, entitled "Flag and seal, Seat of Government, and the States". [Public Law 279]
61 Stat. 641

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 4 of the United States Code, entitled "Flag and seal, Seat of Government, and the States", is codified and enacted into positive law and may be cited as "4 U. S. C., § —", as follows: Title 4, U. S. Code. Codification and enactment into positive law

TITLE 4—FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES

* * *

⊥CHAPTER 4—THE STATES ⊥643

* * *

⊥TAX ON MOTOR FUEL SOLD ON MILITARY OR OTHER RESERVATION REPORTS TO STATE TAXING AUTHORITY ⊥644

§ 104. (a) All taxes levied by any State, Territory, or the District of Columbia upon, with respect to, or measured by, sales, purchases, storage, or use of gasoline or other motor vehicle fuels may be levied, in the same manner and to the same extent, with respect to such fuels when sold by or through post exchanges, ship stores, ship service stores, commissaries, filling stations, licensed traders, and other similar agencies, located on United States military or other reservations, when such fuels are not for the exclusive use of the United States. Such taxes, so levied, shall be paid to the proper taxing authorities of the State, Territory, or the District of Columbia, within whose borders the reservation affected may be located.

(b) The officer in charge of such reservation shall, on or before the fifteenth day of each month, submit a written statement to the proper taxing authorities of the State, Territory, or the District of Columbia within whose borders the reservation is located, showing the amount of such motor fuel with respect to which taxes are payable under subsection (a) for the preceding month.

STATE, AND SO FORTH, TAXATION AFFECTING FEDERAL AREAS; SALES OR USE TAX

§ 105. (a) No person shall be relieved from liability for payment of, collection of, or accounting for any sales or use tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, on the ground that the sale or use, with respect to which such tax is levied, occurred in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect any such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

(b) The provisions of subsection (a) shall be applicable only with respect to sales or purchases made, receipt from sales received, or storage or use occurring, after December 31, 1940.

⊥SAME; EXCEPTION OF INDIANS ⊥645

§ 109. Nothing in sections 105 and 106 of this title shall be deemed to

authorize the levy or collection of any tax on or from any Indian not otherwise taxed.

SAME; DEFINITIONS

§ 110. As used in sections 105–109 of this title—

(a) The term "person" shall have the meaning assigned to it in section 3797 of title 26.

(b) The term "sales or use tax" means any tax levied on, with respect to, or measured by, sales, receipts from sales, purchases, storage, or use of tangible personal property, except a tax with respect to which the provisions of section 104 of this title are applicable.

(c) The term "income tax" means any tax levied on, with respect to, or measured by, net income, gross income, or gross receipts.

(d) The term "State" includes any Territory or possession of the United States.

(e) The term "Federal area" means any lands or premises held or acquired by or for the use of the United States or any department, establishment, or agency of the United States; and any Federal area, or any part thereof, which is located within the exterior boundaries of any State, shall be deemed to be a Federal area located within such State.

Repeals.

SEC. 2. The sections or parts thereof of the Statutes at Large or the Revised Statutes covering provisions codified in this Act are hereby

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⊥repealed insofar as such provisions appear in title 4, United States Code, 1940 edition, and supplements thereto, as shown by the appended table: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

Approved, July 30, 1947.

July 31, 1947
[S. 1185]
[Public Law 291]
61 Stat. 681

[CHAPTER 406]

AN ACT

To provide for the disposal of materials on the public lands of the United States.

Public lands
Disposal of certain materials.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, under such rules and regulations as he may prescribe, may dispose of materials including but not limited to sand, stone, gravel, yucca, manzanita, mesquite, cactus, common clay, and timber or other forest products, on public lands of the United States if the disposal of such materials (1) is not otherwise expressly authorized by law, including the United States mining laws, (2) is not expressly prohibited by laws of the United States, and (3) would not be detrimental to the public interest. Such materials may be disposed of only in accordance with the provisions of this Act and upon the payment of adequate compensation therefor, to be determined by the Secretary: *Provided, however*, That, to the extent not otherwise authorized by law, the Secretary is authorized in his discretion to permit any Federal, State, or Territorial agency, unit or subdivision, including municipalities, or any person, or any association or corporation not organized for profit, to take and remove, without charge, materials and resources subject to this Act, for use other than for commercial or industrial purposes or resale. Where the lands have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior or of a State, Territory, county, municipality, water district, or other local governmental subdivision or agency, the Secretary of the Interior may make disposals under this Act only with the consent of such Federal department or agency or of such State, Territory, or local governmental unit. Nothing in this Act shall be construed to apply to lands in any national forest, national park, or

Removal of materials without charge.

Nonapplicability

national monument or to any Indian lands, or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by Executive order for the use of Indians.

Appraisal value in excess of $1,000

SEC. 2. Where the appraised value of the material exceeds $1,000, it shall be disposed of by the Secretary to the highest responsible qualified bidder by competitive bidding and publication of notice of the proposed disposal once each week for a period of four consecutive weeks in a newspaper of general circulation in the county in which the material is located. Where the appraised value of the material is $1,000 or less, it may be disposed of by the Secretary upon such notice and in such manner as he may prescribe.

Appraisal value of $1,000 or less

SEC. 3. All moneys received from the disposal of materials under this Act shall be disposed of in the same manner as moneys received from the sale of public lands.

Approved, July 31, 1947.

[CHAPTER 410]

AN ACT

July 31, 1947
[H. R. 2005]
[Public Law 295]
61 Stat. 686

To amend the Act of April 21, 1932 (47 Stat. 88), entitled "An Act to provide for the leasing of the segregated coal and asphalt deposits of the Choctaw and Chickasaw Indian Nations, in Oklahoma, and for an extension of time within which purchasers of such deposits may complete payments".

Choctaw-Chickasaw Nations
Coal and asphalt deposits

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 21, 1932 (47 Stat. 88), is hereby amended to provide that leases or renewal leases may be made for any term not to exceed fifteen years: *Provided*, That nothing herein contained shall operate to prevent the sale pursuant to law of the segregated coal or asphalt deposits leased or unleased of the Choctaw-Chickasaw Nations at any time, but any such sale shall be subject to any leases of such deposits heretofore or hereafter made pursuant to law.

Approved, July 31, 1947.

[CHAPTER 411]

AN ACT

July 31, 1947
[H. R. 4002]
[Public Law 296]
61 Stat. 686

Making appropriations for civil functions administered by the War Department for the fiscal year ending June 30, 1948, and for other purposes.

War Department Civil Appropriation Act, 1948

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1948, for civil functions administered by the War Department, and for other purposes, namely:

Ante, pp. 71, 118, 187, 188, 245, 361, 608, 609, 625, *post*, p. 779.

* * *

⊥FLOOD CONTROL

⊥689

* * *

⊥690
Acquisition of lands in Fort Berthold Indian Reservation.

⊥Garrison (North Dakota) Reservoir: For acquisition of the lands and rights therein within the taking line of Garrison Reservoir which lands lie within the area now established as the Fort Berthold Indian Reservation, North Dakota, including all elements of value above or below the surface thereof and including all improvements, severance damages and reestablishment and relocation costs the sum of $5,105,625, which said sum is included in the total allocated under this Act for the said Garrison Reservoir and which shall be deposited in the Treasury of the United States to the credit of the Three Affiliated Tribes of Fort Berthold Reservation, to be subject to withdrawal and disbursement as herein provided. This amount is made available subject to the following conditions subsequent and in the event the

Deposit to credit of Three Affiliated Tribes.

Availability.

said conditions are not complied with then this amount shall lapse and be thereby null and void. Said conditions subsequent are:

That a contract between the United States and the said Three Affiliated Tribes shall be negotiated and approved by a majority of the adult members of said tribes and enacted into law by the Congress, providing for the conveyance of said lands and interests and the use and distribution of said fund and that disbursements from said fund shall be made forthwith in accordance with said approved contract and Act of Congress.

That said contract shall be submitted to the Congress on or before the first day of June 1948: *Provided, however,* That, notwithstanding said contract or the provisions of this Act, the said Three Affiliated Tribes may bring suit in the Court of Claims as provided in section 24 of the Act of August 13, 1946, on account of additional damages, if any, alleged to have been sustained by said tribes by reason of the taking of the said lands and rights in the said Fort Berthold Indian Reservation on account of any treaty obligation of the Government or any intangible cost of reestablishment or relocation, for which the said tribes are not compensated by the said $5,105,625.

60 Stat. 1055.
28 U. S. C. § 259a.

* * *

Approved, July 31, 1947.

[CHAPTER 414]

July 31, 1947
[H. R. 4347]

AN ACT

[Public Law 299]
61 Stat. 695

Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1948, and for other purposes, namely:

Second Supplemental Appropriation Act, 1948.
Ante, pp. 118, 187, 245, 361, 608, 609, *post*, pp. 703, 941.

* * *

⊥699

⊥DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

Ante, p. 467.

Construction, and so forth, buildings and utilities: For an additional amount for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Washington, as authorized by Public Law 138 (Eightieth Congress), approved June 30, 1947, $88,000.

Ante, p. 211.

* * *

Approved, July 31, 1947.

[CHAPTER 454]

August 4, 1947
[H. R. 2793]

AN ACT

[Public Law 332]
61 Stat. 729

Authorizing an appropriation for the construction, extension, and improvement of a State tuberculosis sanatorium at Galen, Montana, to provide facilities for the treatment of tuberculous Indians in Montana.

Tuberculosis sanatorium, Galen, Mont.
Appropriation authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,500,000 for the purpose of cooperating with the State of Montana for the construction, extension, and improvement of a tuberculosis sanatorium at Galen, Deer Lodge County, Montana, to provide and make available whenever required for tuberculous Indians not less than one hundred additional beds:

Provided, That the expenditure of any moneys authorized to be appropriated hereunder shall be subject to the condition that the proper authorities of the said State of Montana shall promptly take necessary steps under the laws of the State of Montana to provide additional funds required to complete the construction, extension, and improvement including regulation equipment of the said sanatorium and shall submit proof of compliance with this provision to the Commissioner of Indian Affairs; whereupon actual work shall proceed under the direction of the State officials and payment for such work in place shall be made monthly on vouchers properly certified by State officials to the Commissioner of Indian Affairs, whose determination and approval of the proper amount chargeable to any appropriation authorized hereunder shall be final and sufficient for such payment thereof: *Provided further*, That the said sanatorium so constructed, extended, and improved shall be maintained by the State of Montana and shall be available to all the Indian population of said State: *Provided further*, That the Commissioner of Indian Affairs will reimburse the State of Montana for the care and treatment of such tuburculous Indians who may be admitted to the sanatorium under the provisions of the Johnson-O'Malley Act, at rates not in excess of the average annual per diem cost of operation for the entire sanatorium.

Additional funds from State

Availability to Indians

Reimbursement to State

48 Stat. 596
25 U. S. C. §§ 452–455.

Approved, August 4, 1947.

[CHAPTER 457]

AN ACT

August 4, 1947
[H. R. 3064]

Authorizing and directing the Secretary of the Interior to issue a patent in fee to the surviving members of the Laguna Band of Mission Indians of California.

[Public Law 335
61 Stat. 731

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to take such steps as are necessary to determine the membership of the Laguna Band of Mission Indians of California and, having determined such membership, is further authorized and directed to issue to the member or members of such band within six months from the enactment of this Act, a patent in fee to the following-described lands situated within the boundaries of the Laguna Indian Reservation, California: The south half southwest quarter section 28; north half southwest quarter and northwest quarter section 33, township 14 south, range 5 east, San Bernardino meridian, San Diego County, California.

Laguna Band of Mission Indians, Calif.
Issuance of patent in fee

Approved, August 4, 1947.

[CHAPTER 458]

AN ACT

August 4, 1947
[H. R. 3173]

Relative to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes.

[Public Law 336]
61 Stat. 731

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all restrictions upon all lands in Oklahoma belonging to members of the Five Civilized Tribes, whether acquired by allotment, inheritance, devise, gift, exchange, partition, or by purchase with restricted funds, of whatever degree of Indian blood, and whether enrolled or unenrolled, shall be, and are hereby, removed at and upon his or her death: *Provided*, (a) That except as provided in subdivision (f) of this section, no conveyance, including an oil and gas or mineral lease, of any interest in land acquired before or after the date of this Act by an Indian heir or devisee of one-half or more Indian blood, when such interest in land was restricted in the hands of the person from whom such Indian heir or devisee acquired same, shall be valid unless approved in open court

Five Civilized Tribes.
Removal of restrictions on land in Okla.

Validity of conveyance.

Hearing

by the county court of the county in Oklahoma in which the land is situated; (b) that petition for approval of conveyance shall be set for hearing not less than ten days from date of filing, and notice of hearing thereon, signed by the county judge, reciting the consideration offered and a description of the land shall be given by publication in at least one issue of a newspaper of general circulation in the county where the land is located and written notice of such hearing shall be given to the probate attorney of the district in which the petition is filed at least ten days prior to the date on which the petition is to be heard. The grantor shall be present at said hearing and examined in open court before such conveyance shall be approved, unless the grantor and the probate attorney shall consent in writing that such hearing may be had and such conveyance approved in the absence of the grantor, and the court must be satisfied that the

⊥732

consideration has ⊥been paid in full. Proceedings for approval of conveyances by restricted heirs or devisees under this section shall not be removable to the Federal court; (c) the evidence taken at the hearing shall be transcribed and filed of record in the case, the expense of which, including attorney fees and court costs, must be borne by the grantee. The court in its discretion, when deemed for the best interest of the Indian, may approve the conveyance conditionally, or may withhold approval; (d) that at said hearing competitive bidding may be had and a conveyance may be confirmed in the name of the person offering the highest bid therefor or when deemed necessary the court may set the petition for further hearing; (e) that the probate attorney shall have the right to appeal from any order approving conveyances to the district court of the county in which the proceedings are conducted within the time and in the manner provided by the laws of the State of Oklahoma in cases of appeal in probate matters generally, except that no appeal bond shall be required; (f) that sales of the interests of minor and incompetent persons shall be made in conformity with the laws of the State of Oklahoma. Notice of such sale shall be given to the probate attorney of the district in which the petition is filed at least ten days prior to the date on which the petition for sale is to be heard; (g) that nothing contained in this section shall be construed to modify or repeal the Act of February 11, 1936 (49 Stat. 1135), relating to leases for farming and grazing purposes.

Conditional approval by court, etc

Competitive bidding.

Right to appeal

Sales of interest of minors, etc

25 U S C § 393a

Quantum of Indian blood

SEC. 2. In determining the quantum of Indian blood of any Indian heir or devisee, the final rolls of the Five Civilized Tribes as to such heir or devisee, if enrolled, shall be conclusive of his or her quantum of Indian blood. If unenrolled, his or her degree of Indian blood shall be computed from the nearest enrolled paternal and maternal lineal ancestors of Indian blood enrolled on the final rolls of the Five Civilized Tribes.

Jurisdiction of guardianship, etc

SEC. 3. (a) The State courts of Oklahoma shall have exclusive jurisdiction of all guardianship matters affecting Indians of the Five Civilized Tribes, of all proceedings to administer estates or to probate the wills of deceased Indians of the Five Civilized Tribes, and of all actions to determine heirs arising under section 1 of the Act of June 14, 1918 (40 Stat. 606).

25 U S C § 375

Effect of final judgment on U S

(b) The United States shall not be deemed to be a necessary or indispensable party to any action or proceeding of which the State courts of Oklahoma are given exclusive jurisdiction by the provisions of subsection (a) of this section, and the final judgment rendered in any such action or proceeding shall bind the United States and the parties thereto to the same extent as though no Indian property or question were involved: *Provided,* That written notice of the pendency of any such action or proceeding shall be served on the Superintendent for the Five Civilized Tribes within ten days of the filing of the first pleading in said action or proceeding. Such notice shall be served by the party or parties causing the first pleading to be filed. Section 3

Notice of pendency

Nonapplicability

of the Act of April 12, 1926 (44 Stat. 239), shall have no application to actions or proceedings covered by the provisions of subsection (a) of this section.

Removal of action to district court.

(c) No action or proceeding in which notice has been served on the Superintendent for the Five Civilized Tribes pursuant to the provisions of section 3 of the Act of April 12, 1926 (44 Stat. 239), shall be removed to a United States district court except upon the recommendation of the Secretary of the Interior or his duly authorized representative. The United States shall have the right to appeal from any order of remand entered in any case removed to a United States district court pursuant to the provisions of the Act of April 12, 1926 (44 Stat. 239).

Right to appeal.

⊥(d) Nothing contained in this section shall be construed to limit any right of appeal. ⊥733

Representation of restricted members.

SEC. 4. That the attorneys provided for under the Act of May 27, 1908 (35 Stat. 312), are authorized to appear and represent any restricted member of the Five Civilized Tribes in Oklahoma before any of the courts of the State of Oklahoma in any matter in which the said restricted Indian may have an interest.

Tribal funds and securities.

SEC. 5. That all funds and securities now held by, or which may hereafter come under the supervision of the Secretary of the Interior, belonging to and only so long as belonging to Indians of the Five Civilized Tribes in Oklahoma of one-half or more Indian blood, enrolled or unenrolled, are hereby declared to be restricted and shall remain subject to the jurisdiction of said Secretary until otherwise provided by Congress, subject to expenditure in the meantime for the use and benefit of the individual Indians to whom such funds and securities belong, under such rules and regulations as said Secretary may prescribe.

Tax exempt lands

SEC. 6. (a) Except as hereinafter provided, the tax-exempt lands of any Indian of the Five Civilized Tribes in Oklahoma shall not exceed one hundred and sixty acres, whether the said lands be acquired by allotment, descent, devise, gift, exchange, partition, or by purchase with restricted funds.

Continuation of exemption, etc.

(b) All tax-exempt lands owned by an Indian of the Five Civilized Tribes on the date of this Act shall continue to be tax-exempt in the hands of such Indian during the restricted period: *Provided*, That any right to tax exemption which accrued prior to the date of this Act under the provisions of the Acts of May 10, 1928 (45 Stat. 495), and January 27, 1933 (47 Stat. 777), shall terminate unless a certificate of tax exemption has been filed of record in the county where the land is located within two years from the date of this Act.

25 U. S. C. § 355 note.

(c) Any interest in restricted and tax-exempt lands acquired by descent, devise, gift, exchange, partition, or purchase with restricted funds, after the date of this Act by an Indian of the Five Civilized Tribes of one-half or more Indian blood shall continue to be tax-exempt during the restricted period: *Provided*, That the tax-exempt lands of any such heir, devisee, donee, or grantee, whether acquired by allotment, descent, devise, gift, exchange, partition, or purchase with restricted funds, shall not exceed one hundred and sixty acres in the aggregate: *Provided further*, That nothing contained in this subsection shall be construed to terminate or abridge any right to tax exemption to which any Indian was entitled on the effective date of this Act.

(d) Nothing contained in this section shall be construed to affect any tax exemption provided by the Act of June 26, 1936 (49 Stat. 1967).

25 U. S. C. §§ 501–509. *Post*, p. 734.

Filing of statement showing tax-exempt lands, etc.

(e) On or before the 1st day of January of each year following the date of this Act, the Superintendent of the Five Civilized Tribes shall file with the county treasurer of each county in the State of Oklahoma where restricted Indians' lands of any type of members of the Five Civilized Tribes are situated, a statement showing what lands are

regarded as tax exempt, and the names of the Indians for whom the lands are claimed as tax exempt. Before a county treasurer shall proceed to sell any restricted land for delinquent taxes, it must appear from the records of the office of the county treasurer that a list of the tracts included in the proposed sales of land for delinquent taxes in said county has been sent by registered mail to the Superintendent for the Five Civilized Tribes at Muskogee, Oklahoma, at least ninety days before the date fixed by the laws of the State of Oklahoma for sales of land for delinquent taxes.

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⊥SEC. 7. All removals of restrictions and approvals of deeds heretofore made by the Secretary of the Interior, regardless of whether applications were made therefor by the Indian owner, are hereby validated and confirmed.

Restricted lands.
Validation of prior removals of restrictions, etc.

SEC. 8. That no tract of land, nor any interest therein, which is hereafter purchased by the Secretary of the Interior with restricted funds by or for an Indian or Indians of the Five Civilized Tribes in Oklahoma of one-half or more Indian blood, enrolled or unenrolled, shall be construed to be restricted unless the deed conveying same shows upon its face that such purchase was made with restricted funds.

Validation of conveyances

47 Stat. 777
25 U. S. C. § 355 note.

SEC. 9. That all conveyances, including oil and gas or mineral leases, by Indians of the Five Civilized Tribes in Oklahoma of lands acquired by inheritance or devise, made after the effective date of the Act of January 27, 1933, and prior to the effective date of this Act, that were approved either by a county court in Oklahoma or by the Secretary of the Interior are hereby validated and confirmed: *Provided*, That if any such conveyance is subject to attack upon grounds other than sufficiency of approval or lack of approval thereof, such conveyance shall not be affected by this Act.

25 U. S. C. § 502.

SEC. 10. Section 2 of the Act of June 26, 1936 (49 Stat. 1967), commonly known as the Oklahoma Welfare Act, shall be amended by the addition of a new paragraph as follows:

Waiver of preference right

"The preference right of the Secretary to purchase shall be considered as waived where notice of the pendency of sale is given in writing to the Superintendent of the Five Civilized Tribes for at least ten days prior to the date of sale and the Secretary does not within that time exercise the preferential right to purchase."

Applicability of oil and gas conservation laws to restricted lands

SEC. 11. All restricted lands of the Five Civilized Tribes are hereby made subject to all oil and gas conservation laws of Oklahoma: *Provided*, That no order of the Corporation Commission affecting restricted Indian land shall be valid as to such land until submitted to and approved by the Secretary of the Interior or his duly authorized representative.

Repeals

SEC. 12. Sections 1 and 8 of the Act of January 27, 1933 (47 Stat. 777), are hereby repealed.

SEC. 13. All Acts and parts of Acts in conflict herewith are hereby repealed.

Approved, August 4, 1947.

[CHAPTER 474]

August 4, 1947
[H. R. 3325]
[Public Law 349]
61 Stat. 747

AN ACT

To enable Osage Indians who served in World War II to obtain loans under the Servicemen's Readjustment Act of 1944, and for other purposes.

Osage Tribe of Indians
Loans

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 6 of the Act approved February 27, 1925 (43 Stat. 1008), as amended by section 5 of the Act approved March 2, 1929 (45 Stat. 1478), which make invalid contracts of debt entered into by certain members of the Osage Tribe of Indians, shall not apply to any debt

58 Stat. 291

contracted pursuant to title III of the Servicemen's Readjustment Act

of 1944 by any member of such tribe who, by reason of his service in the armed forces of the United States during World War II, is eligible for the benefits of such title III; and any other member of the Osage Tribe upon attaining the age of twenty-one years may contract a valid debt without approval of the Secretary of the Interior: *Provided*, That the Osage lands and funds and any other property which has heretofore or which may hereafter be held in trust or under supervision of the United States for such Osage Indians not having a certificate of competency shall not be subject to lien, levy, attachment, or forced sale to satisfy any debt or obligation contracted or incurred prior to the issuance of a certificate of competency.

38 U. S. C. §§ 694-694e.
Ante, p. 454.

Lands not subject to lien, etc.

Approved, August 4, 1947.

[CHAPTER 478]

AN ACT

August 4, 1947
[H. R. 3870]

To authorize certain expenditures from the appropriation of Saint Elizabeths Hospital, and for other purposes

[Public Law 353]
61 Stat. 751

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Security administrator is authorized to admit to Saint Elizabeths Hospital in the District of Columbia, for care and treatment, upon application of the Secretary of the Interior, beneficiaries of the Bureau of Indian Affairs. The cost of such care and treatment shall be paid for by the Bureau of Indian Affairs.

Saint Elizabeths Hospital, D. C.
Admission of beneficiaries of Bureau of Indian Affairs, etc.

SEC. 2. Any executive department of the Federal Government (including any agency, independent establishment, or wholly owned instrumentality thereof, and including the District of Columbia) requiring Saint Elizabeths Hospital to care for patients for whom such department is responsible, shall, except to the extent that the expense of such care is authorized to be paid from appropriations to the hospital for the care of patients, pay by check to Saint Elizabeths Hospital, upon the Superintendent's request, either in advance or by way of reimbursement at the end of each calendar month or calendar quarter, such amounts as the Superintendent calculates to be due for such care on the basis of a per diem rate approved by the Bureau of the Budget. Bills rendered by the Superintendent on the basis of such calculations shall not be subject to audit or certification in advance of payment; but proper adjustment of amounts which have been paid in advance on the basis of such calculations shall be made monthly or quarterly, as may be agreed upon by the Superintendent of the hospital and the executive department concerned.

Patients for whom departments are responsible.
Payment for care, etc.

SEC. 3. All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of patients shall be deposited in the Treasury to the credit of the appropriation for the care of patients at the hospital for the year in which such care is provided.

Crediting of payments.

SEC. 4. The Superintendent of Saint Elizabeths Hospital is authorized to operate and maintain at the hospital necessary facilities for feeding employees and others (at not less than cost, as determined by the Federal Security Administrator), and the proceeds from such operation shall be deposited in the Treasury to the credit of the appropriation for the operation of Saint Elizabeths Hospital.

Facilities for feeding employees, etc.

SEC. 5. Appropriations for the care of persons in Saint Elizabeths Hospital shall be available for expenditure for furnishing, repairing, and cleaning such wearing apparel as may be prescribed by the superintendent of the hospital, for use by employees in the performance of their official duties; reimbursing employees, subject to regulations of the Federal Security Administrator, for the cost of repairing or replacing their personal belongings damaged or destroyed by patients while such employees are engaged in the performance of their official duties; expenses incurred in pursuing, identifying, and returning patients who escape from the hospital or from the custody

Availability of appropriations.

of any employee, including rewards for the capture of such patients; expenses incurred in ascertaining the residence of patients whose care is not, or whose care is no longer, authorized at the hospital, and in returning such patients to their places of residence; expenses incurred in the removal of patients to their friends; and repairs, replacements, and minor improvements to the buildings and grounds of the hospital.

Approved, August 4, 1947.

[CHAPTER 507]

AN ACT

August 6, 1947
[H. R. 4079]

[Public Law 376]
61 Stat. 790

To amend the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976).

Taylor Grazing Act, amendment

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 3 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1270; 43 U. S. C., sec. 315b), is hereby amended to read as follows:

Issuance of grazing permits.

"The Secretary of the Interior is hereby authorized to issue or cause to be issued permits to graze livestock on such grazing districts to such bona fide settlers, residents, and other stock owners as under his rules and regulations are entitled to participate in the use of the range, upon the payment annually of reasonable fees in each case to be fixed or determined from time to time, and in fixing the amount of such fees the Secretary of the Interior shall take into account the extent to which such districts yield public benefits over and above those accruing to the users of the forage resources for livestock purposes. Such fees shall consist of a grazing fee for the use of the range, and a range-improvement fee which, when appropriated by the Congress, shall be available until expended solely for the construction, purchase, or maintenance of range improvements. Grazing permits shall be issued only to citizens of the United States or to those who have filed the necessary declarations of intentions to become such, as required by the naturalization laws, and to groups, associations, or corporations authorized to conduct business under the laws of the State in which the grazing district is located."

Fees

Restriction.

SEC. 2. Section 10 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1273), as amended June 26, 1936 (49 Stat. 1978; 43 U. S. C., sec. 315i), is hereby amended to read as follows:

Deposit of funds
48 Stat. 1273
43 U. S. C. §§ 315h, 315j

Post, p. 791
Distribution

1791

Ante, p. 790.

"Except as provided in sections 9 and 11 hereof, all moneys received under the authority of this Act shall be deposited in the Treasury of the United States as miscellaneous receipts, but the following proportions of the moneys so received shall be distributed as follows: (a) 12½ per centum of the moneys collected as grazing fees under section 3 of this Act during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the grazing districts producing such moneys are situated, to be expended as the State legislature of such State may prescribe for the benefit of the county or counties in which the grazing districts producing such moneys are situated: *Provided,* That if any grazing district is in more than one State or county, the distributive share to each from the proceeds of said district shall be proportioned to its area in said district: (b) 25 per centum of all moneys collected under section 15 of this Act during any fiscal year when appropriated by the Congress, shall be available until expended solely for the construction, purchase, or maintenance of range improvements; and 50 per centum of all moneys collected under section 15 of this Act during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the lands producing such moneys are located, to be expended as the State legislature of such State may prescribe for the benefit of the county or counties in which the lands producing such moneys are located: *Provided,* That if any leased tract is in more than one State or county,

Grazing district in more than one State, etc

48 Stat. 1275.
43 U. S. C. § 315m.

Leased tract in more than one State, etc.

the distributive share to each from the proceeds of said leased tract shall be proportional to its area in said leased tract."

SEC. 3. The first two sentences of section 11 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1273), are hereby amended to read as follows: 43 U. S. C. § 315j.

"That when appropriated by Congress, 33⅓ per centum of all grazing fees received from each grazing district on Indian lands ceded to the United States for disposition under the public-land laws during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which said lands are situated, to be expended as the State legislature may prescribe for the benefit of public schools and public roads of the county or counties in which such grazing lands are situated. And the remaining 66⅔ per centum of all grazing fees received from such grazing lands shall be deposited to the credit of the Indians pending final disposition under applicable laws, treaties, or agreements." Grazing fees from Indian lands.

Approved, August 6, 1947.

[CHAPTER 513]

AN ACT

August 7, 1947
[H. R. 3022]
[Public Law 382]
61 Stat. 913

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mineral Leasing Act for Acquired Lands." Short title.

* * *

⊥SEC. 6. All receipts derived from leases issued under the authority of this Act shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease, the intention of this provision being that this Act shall not affect the distribution of receipts pursuant to legislation applicable to such lands: *Provided, however*, That receipts from leases or permits for minerals in lands set apart for Indian use, including lands the jurisdiction of which has been transferred to the Department of the Interior by the Executive order for Indian use, shall be deposited in a special fund in the Treasury until final disposition thereof by the Congress. ⊥1915

Distribution of receipts, etc.

* * *

Approved, August 7, 1947.

[CHAPTER 516]

JOINT RESOLUTION

August 8, 1947
[H. J. Res. 205]
[Public Law 385]
61 Stat. 920

To authorize the Secretary of Agriculture to sell timber within the Tongass National Forest.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That "possessory rights" as used in this resolution shall mean all rights, if any should exist, which are based upon aboriginal occupancy or title, or upon section 8 of the Act of May 17, 1884 (23 Stat. 24), section 14 of the Act of March 3, 1891 (26 Stat. 1095), or section 27 of the Act of June 6, 1900 (31 Stat. 321), whether claimed by native tribes, native villages, ⊥native individuals, or other persons, and which have not been confirmed by patent or court decision or included within any reservation. "Possessory rights." 23 Stat. 26, 1100, 31 Stat. 330. 48 U. S. C. § 356. ⊥1921

SEC. 2. (a) The Secretary of Agriculture, in contracts for the sale, or in the sale, of national forest timber under the provisions of the Act of June 4, 1897 (30 Stat. 11, 35), as amended, is authorized to include timber growing on any vacant, unappropriated, and unpatented lands within the exterior boundaries of the Tongass National Forest in Timber on vacant lands, etc.

Alaska, notwithstanding any claim of possessory rights. All such contracts and sales heretofore made are hereby validated.

Sale of unpatented lands, etc

(b) The Secretary of the Interior is authorized to appraise and sell such vacant, unappropriated, and unpatented lands, notwithstanding any claim of possessory rights, within the exterior boundaries of the Tongass National Forest as, in the opinion of the Secretary of the Interior and the Secretary of Agriculture, are reasonably necessary in connection with or for the processing of timber from lands within such national forest, and upon such terms and conditions as they may impose.

Purchaser's rights.

(c) The purchaser shall have and exercise his rights under any patent issued or contract to sell or sale made under this section free and clear of all claims based upon possessory rights.

Receipts.

SEC. 3. (a) All receipts from the sale of timber or from the sale of lands under section 2 of this resolution shall be maintained in a special account in the Treasury until the rights to the land and timber are finally determined.

Validity of claims

(b) Nothing in this resolution shall be construed as recognizing or denying the validity of any claims of possessory rights to lands or timber within the exterior boundaries of the Tongass National Forest.

Approved, August 8, 1947.

[CHAPTER 521]

AN ACT

December 19, 1947
[H. R. 4627]

To authorize an appropriation for the immediate relief of the Navajo and Hopi Indians, and for other purposes.

[Public Law 390]
61 Stat. 940

Navajo and Hopi Indians
Appropriation authorized

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $2,000,000, or so much thereof as may be necessary, to enable the Secretary of the Interior to provide immediate relief for needy Navajo and Hopi Indians who are on their reservations or allotted holdings and for those who leave their reservations for employment as hereinafter provided. Not to exceed $500,000 of such amount shall be available for relief of the children, the blind, aged, sick, and disabled, who are needy, and the needy able-bodied where work is not available; and not to exceed $1,500,000 (a) to provide useful employment on permanent construction projects duly authorized for the Navajo and Hopi Indians and (b) to secure employment off their reservations for Navajo and Hopi Indians.

Long-range program

SEC. 2. The Secretary of the Interior is authorized and directed at the earliest practicable date to submit to the Congress his recommendations for necessary legislation for a long-range program dealing with the problems of the Navajo and Hopi Indians.

Approved, December 19, 1947.

[CHAPTER 524]

AN ACT

December 23, 1947
[H. R. 4748]

Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes.

[Public Law 393]
61 Stat. 941

Third Supplemental Appropriation Act, 1948

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

* * *

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DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

Ante, p. 464.

Welfare of Indians: For an additional amount for "Welfare of

Indians," including the objects specified under this head in the Interior Department Appropriation Act, 1948, $500,000.

Advance to Navajo Tribe of Indians (tribal funds): For advance to the Navajo Tribe of Indians to reimburse the tribal sawmill enterprise for emergency relief expenditures, $100,000, payable from funds held by the United States in trust for said Indians.

Ante, p. 466

Ante, p. 465

Alaska Native Service: For hospitalization of tuberculous Indians, Eskimos, and Aleuts at the Seward Sanitorium operated by the Methodist church, $176,000.

Approved, December 23, 1947.

PRIVATE LAWS OF THE EIGHTIETH CONGRESS, FIRST SESSION, 1947.

[CHAPTER 310]

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Erle E. Howe.

July 24, 1947
[H. R. 2151]

[Private Law 84]
61 Stat. 998

Erle E. Howe

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon the written application of Erle E. Howe, Crow Indian Allottee Numbered 1555, the Secretary of the Interior is hereby authorized and directed to sell, for not less than the appraised value, to the highest Crow Indian bidder, or the Crow Tribe, under such terms and conditions as he may prescribe, the following-described lands allotted to him on the Crow Indian Reservation, Montana: The west half of section 10 and the north half of the northwest quarter of section 15, township 5 south, range 28 east, containing four hundred acres; and the east half of the southwest quarter and the north half of the southeast quarter, and the north half of the south half of the southeast quarter of section 21; and the southwest quarter of section 22, township 8 south, range 38 east, Montana principal meridian, containing three hundred and sixty acres.

Approved, July 24, 1947.

[CHAPTER 317]

AN ACT

To authorize and direct the Secretary of the Interior to issue to Alice Scott White a patent in fee to certain land.

July 24, 1947
[H. R. 1486]

[Private Law 85]
61 Stat. 998

Alice Scott White

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon the written application of Alice Scott White, Crow Indian Allottee Numbered 953, the Secretary of the Interior is hereby authorized and directed to sell to the highest Crow Indian bidder, or the Crow Tribe, under such terms and conditions as may be prescribed, that part of the homestead land of the said allottee described as the north half and the north half of the south half of section 10, township 6 south, range 28 east, Montana principal meridian, containing four hundred and eighty acres.

Approved, July 24, 1947.

[CHAPTER 318]

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Becker Little Light.

July 24, 1947
[H. R. 2885]

[Private Law 86]
61 Stat. 998

Becker Little Light

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior or his authorized representative may, in his discretion, sell, for the benefit of Becker Little Light, the following-described land situated in the State of Montana: Lot 3 of section 2, township 2 south,

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range 33 east, Montana principal meridian, containing forty and fifteen one-hundredths acres: *Provided*, That such portion of the proceeds received from the sale of the land as may be approved by the Superintendent of the Crow Indian Agency shall be reinvested in Indian-owned inherited lands on the reservation.

Approved, July 24, 1947.

[CHAPTER 319]

July 24, 1947
[H. R. 2886]
Private Law 87
61 Stat. 999

AN ACT

Authorizing the sale, under supervision, of land of Richard Little Light.

Richard Little Light

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior or his authorized representative, may, in his discretion, sell under existing regulations, for the benefit of Richard Little Light, of Wyola, Montana, the following-described lands situated in the State of Montana: The south half of the southwest quarter of section 35, township 1 south, range 33 east, Montana principal meridian, containing eighty acres: *Provided*, That such portion of the proceeds received from the sale of the land as may be approved by the Superintendent of the Crow Indian Agency shall be reinvested in Indian-owned inherited lands on the reservation.

Approved, July 24, 1947.

[CHAPTER 443]

August 1, 1947
[S. 794]
[Private Law 121]
61 Stat. 1012

AN ACT

To authorize the sale of a small tract of land on the Cherokee Indian Reservation, North Carolina.

Methodist Church.
Use of certain land

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That with the consent of the authorized tribal authorities of the Eastern Band of Cherokee Indians, the Secretary of the Interior is authorized to issue a license to the Methodist Church to use from two to four acres of tribal land on the Cherokee Indian Reservation, North Carolina, for so long a time as such land may be used for church purposes, including the construction of a church building and a parsonage. The license shall be issued by the Secretary of the Interior or his authorized representative upon such terms and conditions as may be mutually agreeable to the parties, and may be revoked only if and when the land ceases to be used for the purposes for which said license is issued.

License.

Approved, August 1, 1947.

[CHAPTER 466]

August 4, 1947
[H. R. 3696]
[Private Law 125]
61 Stat. 1014

AN ACT

Authorizing the issuance of a patent in fee to Daniel Broken Leg.

Daniel Broken Leg

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Daniel Broken Leg, of Chadron, Nebraska, a patent in fee to the following-described lands situated on the Rosebud Indian Reservation in the State of South Dakota: Allotment numbered 4316, northeast quarter, section 33, township 100 north, range 78 west, of the fifth principal meridian, Tripp County, South Dakota.

Approved, August 4, 1947.

PUBLIC LAWS OF THE EIGHTIETH CONGRESS, SECOND SESSION, 1948

[CHAPTER 3]

January 19, 1948
[H. R. 4055]
[Public Law 398]
62 Stat. 4

AN ACT

To provide increases in the rates of pension payable to veterans of Indian wars and the dependents of such veterans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all monthly rates of pension payable to veterans of the Indian wars and dependents of such veterans which are payable under any public laws administered by the Veterans' Administration are hereby increased by 20 per centum.

Veterans of Indian wars.
Pension rates.

The increases provided by this section shall be effective from the first day of the second calendar month following the date of enactment of this Act.

Approved, January 19, 1948.

[CHAPTER 44]

AN ACT

February 5, 1948
[H. R. 2564]

To authorize the filing of actions in State courts to quiet title to lands described in a treaty between the United States and the Delaware Indians, dated October 3, 1818.

[Public Law 406]
62 Stat. 17

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) an action may be brought by any person against any Indian or the heirs of any Indian, and/or the unknown heirs, devisees, or assigns of any Indian, who was or were granted, or was or were to have granted to him or them, land by virtue of a treaty between the United States and the Delaware Indians, dated October 3, 1818 (7 Stat. 188), which contained a condition that such lands should never be conveyed or transferred without the approbation of the President of the United States, for the purpose of determining and quieting the question of title to such land, in cases where there is no deed or record showing a conveyance by the Indian, or his heirs, to whom the land was granted, and where the records of the county in which the land is located show that the present record owners, or their grantees, immediate and remote, have claimed title to said land and have paid the taxes on said land for more than seventy-five years.

Indian lands.
Actions to quiet title.

(b) Such actions may be brought in the State courts having jurisdiction, in the county in which such real estate is located, to hear actions to quiet title, shall be brought in the same manner and under the same rules as other suits may be brought to quiet title where there is a defect in the record title to real estate, and service may be had on the Indian, or his heirs, to whom the real estate was granted, and/or his unknown heirs and assigns, in the same manner as service may be acquired upon persons generally, and their unknown heirs and assigns, in suits to quiet title in such State court, the same as though such treaty had not contained any condition or requirement with respect to securing the approbation of the President of the United States prior to the making of any conveyance or transfer of such lands, the same as though such Indians had never been wards of the United States, and regardless of whether or not the heirs of such Indians are now wards of the United States.

Jurisdiction of courts.

(c) Any Indian who is now a ward of the Government of the United States who may or might have any right, interest, or title in or to any of the lands granted to an Indian or Indians under such treaty shall assert such right, title, or interest not later than September 1, 1948, if such right, title, or interest would be barred or extinguished except for the fact that such Indian is a ward of the Government of the United States; and any such right, title, or interest which otherwise would be barred, shall not be asserted after September 1, 1948.

Wards of U. S. Government.

Approved, February 5, 1948.

[CHAPTER 45]

AN ACT

February 5, 1948
[H. R. 3322]

To empower the Secretary of the Interior to grant rights-of-way for various purposes across lands of individual Indians or Indian tribes, communities, bands or nations.

[Public Law 407]
62 Stat. 17

Indian lands.
Rights-of-way.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, empowered to grant rights-of-way for all purposes, subject to such conditions as he may prescribe, over and across any lands now or hereafter held in trust by the United States for individual Indians or Indian tribes, communities, bands, ⊥18 ⊥or nations, or any lands now or hereafter owned, subject to restrictions against alienation, by individual Indians or Indian tribes, communities, bands, or nations, including the lands belonging to the Pueblo Indians in New Mexico, and any other lands heretofore or hereafter acquired or set aside for the use and benefit of the Indians.

25 U. S. C. §§ 461–479.
25 U. S. C. § 473a; 48 U. S. C. § 358a.
25 U. S. C. §§ 501–509; Supp. I, § 502.
Post, p.991.
Grants without owners' consent.

SEC. 2. No grant of a right-of-way over and across any lands belonging to a tribe organized under the Act of June 18, 1934 (48 Stat. 984), as amended; the Act of May 1, 1936 (49 Stat. 1250); or the Act of June 26, 1936 (49 Stat. 1967), shall be made without the consent of the proper tribal officials. Rights-of-way over and across lands of individual Indians may be granted without the consent of the individual Indian owners if (1) the land is owned by more than one person, and the owners or owner of a majority of the interests therein consent to the grant; (2) the whereabouts of the owner of the land or an interest therein are unknown, and the owners or owner of any interests therein whose whereabouts are known, or a majority thereof, consent to the grant; (3) the heirs or devisees of a deceased owner of the land or an interest therein have not been determined, and the Secretary of the Interior finds that the grant will cause no substantial injury to the land or any owner thereof; or (4) the owners of interests in the land are so numerous that the Secretary finds it would be impracticable to obtain their consent, and also finds that the grant will cause no substantial injury to the land or any owner thereof.

Compensation.

SEC. 3. No grant of a right-of-way shall be made without the payment of such compensation as the Secretary of the Interior shall determine to be just. The compensation received on behalf of the Indian owners shall be disposed of under rules and regulations to be prescribed by the Secretary of the Interior.

16 U. S. C. §§ 792–825r; Supp. I, § 809 note.
Post, p. 275.

SEC. 4. This Act shall not in any manner amend or repeal the provisions of the Federal Water Power Act of June 10, 1920 (41 Stat. 1063), as amended by the Act of August 26, 1935 (49 Stat. 838), nor shall any existing statutory authority empowering the Secretary of the Interior to grant rights-of-way over Indian lands be repealed hereby.

Rights-of-way for use of U. S.

SEC. 5. Rights-of-way for the use of the United States may be granted under this Act upon application by the department or agency having jurisdiction over the activity for which the right-of-way is to be used.

Regulations.

SEC. 6. The Secretary of the Interior is hereby authorized to prescribe any necessary regulations for the purpose of administering the provisions of this Act.

Effective date.

SEC. 7. This Act shall not become operative until thirty days after its approval.

Approved, February 5, 1948.

[CHAPTER 46]

February 5, 1948
[H. R. 3326]
[Public Law 408]
62 Stat. 18

AN ACT

To provide for the granting of certificates of competency to certain members of the Osage Indian Tribe in Oklahoma, and for other purposes.

Osage Indian Tribe.
Certificates of competency.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall issue a certificate of competency to each member of the Osage Tribe of less than one-half Indian blood heretofore or hereafter attaining the age of twenty-one years; and shall thereupon

pay and deliver to such member, or to his legal guardian if such member has been declared incompetent by a court of competent jurisdiction, all money, property, and funds theretofore accrued or here-after accruing to the individual credit of such member; and all payments to the legal guardian of such member may be expended without the approval of the superintendent of the Osage Agency: *Provided*, That all restrictions against alienation of the property of every kind and character, except headright shares or interests in the Osage tribal mineral estate, of members of the Osage Tribe who now have, or may hereafter receive, a certificate of competency, are hereby removed.

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Removal of restrictions.

Approved, February 5, 1948.

[CHAPTER 68]

AN ACT

February 25, 1948
[S. 1507]
[Public Law 416]
62 Stat. 35

Authorizing the sale of undisposed of lots in Michel addition to the town of Polson, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to sell, under existing rules and regulations, the undisposed of lots in blocks 3, 4, and 5, in the Michel addition to the city of Polson, Montana, said lots being embraced in the trust allotment of Angeline Michel, deceased, Flathead allottee numbered 1914.

Polson, Mont.
Sale of lots.

Approved, February 25, 1948.

[CHAPTER 72]

AN ACT

February 26, 1948
[H. R. 3503]
[Public Law 417]
62 Stat. 35

To permit the issuance of unrestricted deeds for town-site lands held by Alaska natives, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the trustee or trustees to whom a patent has been issued for a townsite surveyed pursuant to section 11 of the Act of March 3, 1891 (26 Stat. 1095), or section 3 of the Act of May 25, 1926 (44 Stat. 629), upon a finding by the Secretary of the Interior or his authorized representative that any Alaska native who claims and occupies a tract of land within such townsite is competent to manage his own affairs and has petitioned the Secretary or his authorized representative for an unrestricted deed, or shall issue to such native an unrestricted deed, and thereafter all restrictions as to sale, encumbrance, or taxation of said lands shall be removed, but said land shall not be liable to the satisfaction of any debt, except obligations owed the Federal Government, contracted prior to the issuing of such deed.

Alaska
Townsite lands.

48 U. S. C. § 355.

48 U. S. C. § 355c.

Approved, February 26, 1948.

[CHAPTER 73]

AN ACT

February 27, 1948
[S. 522]
[Public Law 418]
62 Stat. 35

To authorize the sale of certain lands of the L'Anse Band of Chippewa Indians, Michigan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, in his discretion, to sell for the sum of $2,015 and convey to the village of L'Anse, Michigan, certain tribal land and allotted Indian lands described as the southeast quarter of the southeast quarter of section 32, township 51 north, range 32 west, the north half northwest quarter of section 1, the south half northeast quarter of section 2, township 50 north, range 33 west, Michigan

L'Anse, Mich.
Conveyance.

meridian, Michigan, containing one hundred and seventy-seven and twenty-nine one-hundredths acres, more or less. The sale of the tribal land shall be made only with the consent of the tribal council. The proceeds of the sale of the tribal lands, $640, shall be delivered to the bonded disbursing officer of the Great Lakes Indian Agency, Ashland, Wisconsin, to be credited to the tribal funds of the Keweenaw Bay Indian Community. The proceeds of the sale of the allotted lands, $1,375, are to be placed to the credit of the various heirs in their respective individual Indian accounts by the disbursing officer of the Great Lakes Indian Agency. Such funds, received from the sale of these lands, may be reinvested in other lands, in accordance with and subject to the provisions of the Act of June 18, 1934 (48 Stat. 984), as amended.

25 U. S. C. §§ 461–479.

Approved, February 27, 1948.

[CHAPTER 74]

AN ACT

February 27, 1948
[S. 1485]

[Public Law 419]
62 Stat. 36

To authorize the Secretary of the Interior to dispose of certain lands heretofore acquired for the Albuquerque Indian School, New Mexico.

Albuquerque Indian School, N. Mex. Sale of land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, in his discretion and subject to such terms and conditions as he may prescribe, to sell or exchange all or any part of those certain areas heretofore acquired for the Albuquerque Indian School, New Mexico, situated within tracts numbered 97a, 97b, and 98 as shown on the Middle Rio Grande Conservancy District map, comprising approximately thirty and seventy-five one-hundredths acres. In effecting any sale or exchange hereunder the Secretary of the Interior is authorized to execute such deeds or other instruments as may be necessary to transfer the title to any land so sold or exchanged. Any exchanges of land effected pursuant to this Act shall be on an equal value basis.

Proceeds.

SEC. 2. That the proceeds derived from any sale made under authority of this Act shall be deposited in the Treasury of the United States as school revenues, pursuant to the Act of May 27, 1926 (44 Stat. 560), and shall be available in the discretion of the Secretary of the Interior for the purchase of other lands and improvements or interests therein for the use of said Albuquerque Indian School.

25 U. S. C. § 155.

Approved, February 27, 1948.

[CHAPTER 75]

AN ACT

February 27, 1948
[S. 1591]

[Public Law 420]
62 Stat. 36

To transfer certain transmission lines, substations, appurtenances, and equipment in connection with the sale and disposition of electric energy generated at the Fort Peck project, Montana, and for other purposes.

Fort Peck project. Transfer of transmission lines, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in aid of the administration of the Fort Peck project, there is hereby granted to the United States, for use by the Bureau of Reclamation, Department of the Interior (hereinafter referred to as the "Bureau"), in the discharge of its duties pursuant to the Act of May 18, 1938 (52 Stat. 403), the electric-transmission lines, substations, rights-of-way, and other property described in section 7 of that certain permit and memorandum of understanding, dated November 2, 1945, between the Bureau and the Office of Indian Affairs, Department of the Interior (hereinafter referred to as the "Indian Office"): *Provided, however*, That the Bureau shall continue to furnish electric service for the uses and purposes of the Indian Office on the Fort Peck Indian Reservation, pursuant to the terms and conditions of said permit and memorandum

16 U. S. C. §§ 833–833k

of understanding, except as the same may be modified by the Secretary of the Interior.

Purchase price

SEC. 2. That the amount of money to be paid for said property shall be $58,577.52, or so much thereof as the Secretary of the Interior shall determine to be needed pursuant to the provisions of said permit and memorandum of understanding. Such sum shall be paid, from funds now or hereafter made available to the Department of the Interior for the construction of transmission lines and substations of the Fort Peck project, to the Commissioner of Indian Affairs, who shall deposit such sum in the Treasury of the United States as a credit on expenditures made for irrigation and power construction on the Fort Peck Indian irrigation project.

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⊥SEC. 3. The Secretary of the Interior is authorized to perform any and all acts as may be deemed necessary to carry out the provisions of this Act.

Approved, February 27, 1948.

[CHAPTER 82]

AN ACT

February 28, 1948
[S. 1133]

[Public Law 424]
62 Stat. 38

Providing for the per capita payment of certain moneys appropriated in settlement of certain claims of the Indians of the Fort Berthold Indian Reservation in North Dakota.

Fort Berthold Indian Reservation, N. Dak.
Per capita payment

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within sixty days from the date of enactment of this Act the Secretary of the Interior shall withdraw from the Treasury, and pay to the enrolled members of the Indians of the Fort Berthold Indian Reservation in North Dakota, $300,000 to be distributed per capita, out of the balance of the principal and interest of the amount appropriated in settlement of certain claims of such Indians pursuant to the last paragraph preceding the heading "Miscellaneous Indian Tribal Funds", in the first section of the Interior Department Appropriation Act, 1947, remaining after the fees and expenses authorized by such paragraph to be paid from such appropriation shall have been paid or provided for. The money paid to such members under this Act shall not be subject to any lien or claim of any nature against any of such members.

60 Stat. 359

Approved, February 28, 1948.

[CHAPTER 108]

AN ACT

March 11, 1948
[S. 1698]

[Public Law 440]
62 Stat. 72

To define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes.

Uintah and Ouray Reservation, Utah
Exterior boundary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundary of the Uintah and Ouray Reservation in Grand and Uintah Counties, in the State of Utah, for the benefit of the Ute Indian Tribe of the Uintah and Ouray Reservation, is hereby extended to include the following area:

Beginning at the northwest corner of section 18, township 9 south, range 20 east, Salt Lake meridian, and running thence west to Green River;

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⊥Thence northeasterly up Green River approximately thirteen miles to a point where said river intersects the north line of section 11, township 8 south, range 20 east;

Thence east along said section line seven miles to the northeast corner of section 12, township 8 south, range 21 east, Salt Lake meridian;

Thence south along section line two miles to the northeast corner of section 24, township 8 south, range 21 east, Salt Lake meridian;

Thence east one mile to the northeast corner of section 19, township 8 south, range 22 east; thence south one mile to the southeast corner of said section 19; thence east two miles to the northeast corner of section 28;

Thence south six miles to the southeast corner of section 21, township 9 south, range 22 east, Salt Lake meridian;

hence west eleven miles to the northeast corner of section 27, township 9 south, range 20 east, Salt Lake meridian;

Thence south eight miles to the southeast corner of section 34, township 10 south, range 20 east;

Thence west one and one-half miles to the south quarter corner of section 33;

Thence north one-half mile to the center of said section 33;

Thence east one-fourth of a mile to the southwest corner of the southeast quarter northeast quarter, said section 33;

Thence north one mile to the southeast corner of the southwest quarter northeast quarter, section 28;

Thence west one-quarter of a mile to the center of said section 28;

Thence south one-fourth of a mile to the southeast corner of the northeast quarter southwest quarter, said section 28;

Thence west one-fourth of a mile to the north rim of Big Pack Mountain;

Thence southwesterly along said rim approximately one and one-half miles to the north quarter corner of section 4, township 11 south, range 20 east;

Thence south three-fourths of a mile to the southeast corner of the northeast quarter southwest quarter, said section 4;

Thence west one-fourth of a mile to the northeast corner of the southwest quarter southwest quarter, said section 4;

Thence south one-half mile to the southeast corner of the northwest quarter northwest quarter, section 9;

Thence west one-half mile to the southwest corner of the northeast quarter northeast quarter, section 8;

Thence south three-fourths of a mile to the southeast corner of the southwest quarter southeast quarter, said section 8;

Thence west three-fourths of a mile to the northeast corner of section 18;

Thence south along section line to the southeast corner of said section 18;

Thence southerly along the west rim of Big Pack Mountain approximately three and three-fourths miles to the northeast corner of the southeast quarter southeast quarter, section 1, township 12 south, range 19 east, Salt Lake meridian;

Thence south along the township line five and one-fourth miles to the southeast corner of township 12 south, range 19 east;

Thence following the north and east boundary of Indian Allotment Numbered 353 Uncompahgre on Hill Creek to the southeast corner of said allotment;

Thence along the east line of township 13 south, range 19 east, approximately one and one-half miles to the north rim of East Squaw Canyon;

174 ⊥Thence southeasterly along said rim and up said canyon approximately three and three-fourths miles to the northeast corner of section 33, township 13 south, range 20 east;

Thence south along the section line 6 miles to the northeast corner of section 33, township 14 south, range 20 east;

Thence along the north rim of Flat Rock Mesa approximately six miles to the west quarter corner of section 24;

Thence easterly along the north rim of Ute Canyon approximately

two miles to the north quarter corner of section 19, township 14 south, range 21 east, Salt Lake meridian;

Thence continuing along the north rim of said canyon approximately three miles to the center of section 21;

Thence south one mile to the center of section 28;

Thence west one-half mile to the west line of said section;

Thence south one and one-half miles to the southeast corner of section 32;

Thence west along the south line of said township two miles to the southwest corner of township 14 south, range 21 east;

Thence south six miles along the east line of township 15 south, range 20 east, to the southeast corner of said township;

Thence east one-half mile to the center of the north line of section 33, township 15½ south, range 21 east, Salt Lake meridian;

Thence south approximately one and one-half miles to the south quarter corner of section 4, township 16 south, range 21 east, Salt Lake meridian;

Thence west one-half mile to the southwest corner of said section 4;

Thence north one-fourth of a mile to the southeast corner of the northeast quarter southeast quarter, section 5;

Thence west one-half mile to the northeast corner of the southeast quarter southwest quarter, said section 5;

Thence south two and one-fourth miles to the south quarter corner of section 17;

Thence west one-half mile to the northeast corner of section 19;

Thence south one-half mile to the east quarter corner of said section 19;

Thence west one-half mile to the center of said section 19;

Thence south two and one-half miles to the south quarter corner of section 31;

Thence west one-half mile to the southwest corner of said township 16 south, range 21 east;

Thence south one and one-half miles to the east quarter corner of section 12, township 17 south, range 20 east, Salt Lake meridian;

Thence west one mile to the east quarter corner of section 11;

Thence south one-half mile to the southeast corner of said section 11;

Thence west one-half mile to the south quarter corner of said section 11;

Thence south one mile to the south quarter corner of section 14;

Thence west one-half mile to the southwest corner of said section 14;

Thence south one mile to the southeast corner of section 22;

Thence west one mile to the southwest corner of section 22;

Thence south approximately one and one-half miles to a point where the section line intersects the ridge between Supply Canyon and West Willow Creek;

Thence southwesterly along said ridge approximately two and one-half miles to the south quarter corner of section 8, township 18 south, range 20 east;

Thence south to the center of section 17;

Thence east one-half mile to the east quarter corner of said section 17;

⊥Thence south to the southeast corner of said section 17; ⊥75

Thence east approximately one-third of a mile to the top of the ridge between Clear Creek and West Willow Creek;

Thence southerly along the top of said ridge approximately three miles to the center of section 33;

Thence south one-half mile to the south quarter corner of said section 33;

Thence east one-fourth of a mile;

Thence south two miles to the southeast corner of the southwest

quarter southeast quarter, section 9, township 19 south, range 20 east, Salt Lake meridian;

Thence east one-fourth of a mile to the northeast corner of section 16;

Thence south one mile to the southeast corner of said section 16;

Thence west three miles to the southwest corner of section 18;

Thence north 2 and three-fourths miles;

Thence west one-fourth of a mile;

Thence north one-fourth of a mile to the southwest corner of the southeast quarter southeast quarter, section 36, township 18 south, range 19 east;

Thence west three-fourths of a mile to the southwest corner of said section 36;

Thence northwesterly along the watershed divide of Book Cliff Mountains approximately twelve and one-half miles to the east quarter corner of section 6, township 18 south, range 19 east;

Thence southwesterly down Coal Creek Canyon approximately thirteen miles to Green River at a point approximately one-fourth of a mile west of the southeast corner of section 18, township 18 south, range 17 east, Salt Lake meridian;

Thence northerly up Green River to a point two and one-half miles north eighty degrees west from the southwest corner of section 7, township 12 south, range 19 east, Salt Lake meridian;

Thence southwesterly along the east rim of Main Tabyago Canyon approximately three and one-half miles;

Thence south five-eighths of a mile to the rim of the ridge;

Thence southwesterly across West Tabyago Canyon approximately one-half mile to the ridge;

Thence southwesterly along the north rim of the ridge approximately two and one-fourth miles to Rock House Canyon;

Thence southwesterly across Rock House Canyon approximately three-fourths of a mile to the top of knoll in Rock House Canyon;

Thence southeasterly along the south rim of Rock House Canyon approximately two and three-fourths miles to a point approximately one mile north of Gray Knoll;

Thence south one-half mile across bench to north rim of Big Canyon; thence southeasterly along the north rim of Big Canyon approximately two miles to the head of draw approximately one mile east of Gray Knoll;

Thence southeasterly one-fourth of a mile across bench to the north rim of Big Canyon Flat;

Thence southeasterly along north rim of Big Canyon Flat approximately three and one-fourth miles;

Thence east approximately one-fourth of a mile across bench to the north rim of Big Canyon Flat;

Thence southeasterly along the north rim of Big Canyon Flat approximately one mile;

Thence east approximately one-fourth of a mile across bench to north rim of Big Canyon Flat;

Thence southeasterly along the north rim of Big Canyon Flat approximately two and one-half miles;

⊥76 ⊥Thence east approximately one-fourth of a mile across bench;

Thence southeasterly along the north rim of Big Canyon Flat approximately one and three-fourths miles;

Thence east to northwest corner of section 31, township 13 south, range 19 east, Salt Lake meridian;

Thence east one mile;

Thence south one mile;

Thence east one mile to the southeast corner of section 32;

Thence east on section line to CCC road;

Thence northerly along said CCC road to the point where said road

intersects rim of a mesa south of the north line of township 13 south, range 19 east, Salt Lake meridian;

Thence northeasterly along said rim to the northeast corner of section 26 of said township and range;

Thence north one-fourth of a mile;

Thence east one-fourth of a mile;

Thence north one-fourth of a mile to the northwest corner of the northeast quarter southwest quarter, section 24;

Thence northerly along Hill Creek approximately one and one-fourth miles;

Thence west one-fourth of a mile;

Thence south one-fourth of a mile to the quarter corner between sections 13 and 14;

Thence west two miles to the quarter corner between sections 15 and 16;

Thence north along the section line one-half mile to the southeast corner of section 9 to the top of the ridge;

All of the foregoing descriptions being in township 12 south, range 19 east, Salt Lake meridian;

Thence northerly along the top of said ridge three and three-fourths miles to the center of section 28, township 11 south, range 19 east, Salt Lake meridian;

Thence northwesterly to the CCC road;

Thence northwesterly along said road to the top rim of Wild Horse Bench;

Thence northeasterly along the top rim of Wild Horse Bench to the southeast corner of section 21;

Thence north one mile;

Thence diagonally northeast to the southwest corner of section 1;

Thence northeasterly to the north quarter corner of said section 1;

Thence east one-half mile to the intersection of CCC road at the northeast corner of said section 1;

Thence northeasterly along said road approximately four miles to where said road intersects the east line of section 20, township 10 south, range 20 east, Salt Lake meridian;

Thence north along said section line to the east quarter corner of section 8, township 10 south, range 20 east, Salt Lake meridian;

Thence northeasterly to the northwest corner of Indian Allotment Numbered 326 Uncompahgre;

Thence east to Willow Creek;

Thence northwesterly down Willow Creek to the west line of section 4, township 10 south, range 20 east, Salt Lake meridian;

Thence south along said section line to the southwest corner of section 4, said township and range;

Thence west one mile;

Thence north four miles to the northwest corner of section 20, township 9 south, range 20 east, Salt Lake meridian;

Thence west one mile;

Thence north one mile to point of beginning.

⊥Valid rights and claims of individuals initiated under the public-land laws or otherwise involving any lands within said boundary shall not be affected by this Act. ⊥77

The foregoing reservation shall not extend to or include deposits of uranium, thorium, and other materials reserved to the United States by section 5 (b) 7 of the Atomic Energy Act of 1946 (60 Stat. 755, 762), and shall include surface rights only in lands withdrawn by Executive Order Numbered 5327, dated April 15, 1930, as interpreted by Circular Numbered 1220, dated June 9, 1930 (53 I. D. 127), and more particularly described in a letter dated April 22, 1931, addressed to the register, Salt Lake City, Utah, by the Commissioner of the General Land Office.

Uranium, thorium, etc.

42 U. S. C. § 1805 (b) (7).
43 CFR 197 note.

Right-of-way for water purposes, etc.

There is hereby reserved, within the area above described, for the benefit and use of grazing-district permittees, a free right-of-way for trailing and watering purposes, subject to the usual and customary rules and regulations concerning stock driveways within grazing districts, the use of said right-of-way for watering purposes being limited to the usual and customary use of grazing-district permittees adjacent to said right-of-way, over the following lands:

(a) A stock driveway one mile wide along the north side of the White River Road running east from Ouray;

(b) A stock driveway described as beginning at the east quarter corner of section 3, township 9 south, range 20 east, Salt Lake meridian; running thence south eleven and one-half miles to the southeast corner of section 34, township 10 south, range 20 east, Salt Lake meridian; thence west to Willow Creek; thence northerly down Willow Creek to Black Bridge situated in the northwest quarter northeast quarter, section 22, township 10 south, range 20 east, Salt Lake meridian; thence northwesterly following the north and east boundaries of Indian allotments and tribal lands on east side of Willow Creek to the southwest corner of section 32, township 9 south, range 20 east, Salt Lake meridian; thence north five and one-fourth miles to Green River; thence up Green River and White River and on the south side of Indian allotments to point of beginning;

(c) A stock driveway one-half mile on each side of the road running southwesterly from what is known as Squaw Crossing on Willow Creek to the south rim of Wild Horse bench insofar as said road enters or crosses the said reservation;

(d) A stock driveway running from the head of Brown Canyon near the northeast corner of township 11 south, range 19 east, Salt Lake meridian, southeasterly down Brown Canyon across Hill Creek to Big Pack Mountain;

(e) A stock driveway one mile wide across Hill Creek immediately south of Rock House situated in the south half of section 13, township 12 south, range 19 east, Salt Lake meridian.

There is also reserved a watering right on Hill Creek between the Black Bridge and the Brown Ranch for the permittee using the public domain immediately west of said water place.

Revocation of order.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to revoke the order dated September 26, 1933, temporarily withdrawing in aid of legislation certain lands in the former Uncompahgre Indian Reservation.

Relinquishment of certain land by Utah

SEC. 3. The State of Utah may relinquish to the United States for the benefit of the Indians of the said Ute Reservation such tracts of school or other State-owned lands, surveyed or unsurveyed, within the said reserved area, as it may see fit, reserving to said State, if it so desires, such rights as it may possess to any minerals underlying such State lands as may be relinquished, and said State shall have the right to make selections in lieu thereof outside of the area hereby withdrawn, equal in value, as determined by the Secretary of the Interior, to the

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lands relinquished, from the vacant, unappropriated, nonmineral public lands, within the State of Utah, such lieu selections to be made in the manner provided in the enabling Act pertaining to said State, except as to the payment of fees or commissions, which are hereby waived. The value of improvements owned by the State on lands relinquished to the United States for the benefit of said Indians shall be taken into consideration and full credit in the form of lands shall be allowed therefor. Any funds now or hereafter on deposit in the United States Treasury to the credit of the Ute Indian Tribe of the Uintah and Ouray Reservation, Utah, are hereby made available, and with the consent of the Uintah and Ouray Tribal Business Committee, may be expended for the purchase of privately owned and State-owned lands, including the improvements thereon, and improvements hereto-

fore placed on public lands, together with water rights and water holes, within said boundary. The title to lands purchased under this authorization may, in the discretion of the Secretary of the Interior, be taken for the surface only. Title to any lands and rights acquired hereunder shall be taken in the name of the United States in trust for the Ute Indian Tribe of the Uintah and Ouray Reservation, Utah, and such lands or rights shall be exempt from State or local taxation.

Title to lands

SEC. 4. In any suit now pending or hereafter brought against the United States by the Ute Indian Tribe of the Uintah and Ouray Reservation, or by any one or more of the separate bands comprising said Ute Indian Tribe of the Uintah and Ouray Reservation, in the Court of Claims, the Indian Claims Commission or before any other tribunal, the United States may claim, as an offset against any judgment recovered therein, the fair market value as of the date of this Act of any interest in public lands conveyed by section 1 hereof, and any improvements thereon, and the fair market value as of the date of the transfer of title of the lands and improvements which may be relinquished by the State of Utah to the United States under section 3 of this Act. The validity and amount of any such claim shall be determined by the court, commission, or tribunal in conformity with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1049, 1050).

Judgments against U. S., offset

25 U.S.C. § 70a

Approved, March 11, 1948.

[CHAPTER 120]

AN ACT

To give to members of the Crow Tribe the power to manage and assume charge of their restricted lands, for their own use or for lease purposes, while such lands remain under trust patents.

March 15, 1948
[S. 1317]
[Public Law 444]
62 Stat. 80

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso of the first section of the Act of May 26, 1926, entitled "An Act to amend sections 1, 5, 6, 8, and 18 of an Act approved June 20, 1920, 'an Act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds and for other purposes.'," approved May 26, 1926 (44 Stat. 658, 659), be amended to read as follows: "*Provided further*, That any Crow Indian classified as competent may lease his or her trust lands or any part thereof and the trust lands of their minor children for farming and grazing purposes: *Provided*, That any Crow Indian classified as competent shall have the full responsibility of obtaining compliance with the terms of any lease made: *And provided further*, That leases on inherited or devised trust lands having more than five competent devisees or heirs shall be made only with the approval of the Superintendent. Any adult incompetent Indian with the approval of the Superintendent may lease his or her trust lands or any part thereof and the inherited or trust lands of their minor children for farming and grazing purposes. The trust lands of orphan minors shall be leased by the Superintendent. Moneys received for and on behalf of all incompetent Indians and minor children shall be paid to the Superintendent by the lessee for the benefit of said Indians. No lease shall be made for a period longer than five years, except irrigable lands under the Big Horn Canal, which may be leased for periods of ten years. All leases made under this Act shall be recorded at the Crow Agency."

Crow Indians
Lease of trust lands

Responsibility

Approval of Superintendent

Time limitation

Approved, March 15, 1948.

[CHAPTER 142]

AN ACT

To authorize payment to certain enrolled members of the Seminole Tribe of Indians under Act of July 2, 1942 (Public, Numbered 645, Seventy-seventh Congress).

March 24, 1948
[S. 1733]
[Public Law 451]
62 Stat. 84

Seminole Indians Payment

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in making the payment to the enrolled members of the Seminole Tribe of Indians of Oklahoma or their heirs, authorized in section 1 of the Act of July 2, 1942 (Public, Numbered 645, Seventy-seventh Congress), the regulations promulgated by the Secretary of the Interior under date of October 14, 1942, shall be followed in ascertaining the heirs of the enrolled members entitled to share in the funds of said tribe as to those persons who died prior to the Act of December 24, 1942 (Public, Numbered 833, Seventy-seventh Congress), and payment shall be made accordingly.

56 Stat. 528.

56 Stat. 1080; 25 U.S.C. §§ 375a, 375b

Approved, March 24, 1948.

[CHAPTER 160]

AN ACT

March 29, 1948
[H. R. 2502]

To provide for the general welfare and advancement of the Klamath Indians in Oregon.

[Public Law 463]
62 Stat. 92

Klamath Welfare Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Klamath Welfare Act".

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed, from the capital reserve fund deposited in the Treasury of the United States to the credit of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians (hereinafter referred to as the "Klamath Tribes"), said fund being established pursuant to the Act of August 28, 1937 (ch. 874, 50 Stat. 872), as augmented by the proceeds of the judgment fund of the Klamath Indians as provided in the Act of August 7, 1939 (ch. 552, 53 Stat. 1252), to credit the sum of $500 upon the books of the Office of Indian Affairs, to each person determined by the Secretary of the Interior to be entitled to enrollment upon the annuity roll of said tribes of the Klamath Reservation, Oregon, living upon the date of the enactment of this Act. The share of each adult member of the credit so established shall be availalbe for expenditure, under such rules and regulations as the Secretary of the Interior may prescribe, for the following purposes:

25 U.S.C. §§ 530–535.

25 U.S.C. §§ 541–543.

Purchase, etc., of land

Repayment of loans.

Purchase of land or interests in land; improvement of lands acquired or already held by the Indian; erection and improvement of suitable ⊥homes, including household equipment and furnishings; repayment of any loans received from the United States or from the Klamath tribal funds; purchase of building material, feed, seed, and grain; purchase or rehabilitation and repair of farming equipment, tools, trucks, tractors, machinery, and implements; and purchase of any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education and adult education, as will enable them to become self-supporting; and health, including dental work: *Provided, however*, That the funds of the aged, infirm, decrepit, and incapacitated members may be used for their proper maintenance and support: *Provided further*, That during minority the share of each minor Indian shall be available for expenditure only for his education and for health purposes, including dental work, except that in an emergency expenditure of a minor Indian's share may be made for any of the purposes specified in this Act. As herein used, the term "minor" shall include all members of the tribe who have not attained the age of twenty-one years, except that minors eighteen years of age or over and who are married or have families of their own to support, shall be regarded as adults. On the death of any enrolled member, adult or minor, the sum on deposit to his credit shall be distributed as personal property, and shall be available for expenditure by the distributees only for the purposes herein authorized: *And*

Maintenance of aged, etc.

Education and health purposes.

"Minor."

Death of member

provided further, That each member of the Klamath Tribes honorably discharged from service to the United States in its armed forces shall, upon application to the Commissioner of Indian Affairs, be paid $200 in cash, free from the aforesaid restrictions and in addition to the $500 to be credited to such member as provided in section 2 of this Act.

Honorably discharged veterans.

SEC. 3. That in no event shall any portion of the funds hereby directed to be credited and paid become liable, payable, or subject to any debt or debts contracted prior to the passage of this Act by any Indian of the Klamath Tribe, except debts to the United States or to the tribe.

Prior debts.

Approved, March 29, 1948.

[CHAPTER 167]

JOINT RESOLUTION

Making appropriations for foreign aid, welfare of Indians, and refunding internal-revenue collections.

March 31, 1948
[H.J. Res. 355]

[Public Law 470]
62 Stat. 109

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

Certain deficiency appropriations, 1948

* * *

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Welfare of Indians: For an additional amount for "Welfare of Indians", $125,000.

* * *

Approved, March 31, 1948.

[CHAPTER 185]

AN ACT

Authorizing an appropriation for the construction, extension, and improvement of a high-school building near Roosevelt, Utah, for the district embracing the east portion of Duchesne County and the west portion of Uintah County.

April 15, 1948
[S. 805]

[Public Law 481]
62 Stat. 170

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not ⊥otherwise appropriated, the sum of $250,000 for the purpose of cooperating with the school districts in Utah comprising the east portion of Duchesne County and the west portion of Uintah County for the construction, extension, and improvement of a high-school building near Roosevelt, Utah: *Provided*, That the expenditure of any moneys appropriated hereunder shall be subject to the condition that the school authorities for the said school districts shall take any and all necessary steps, under the laws of the State of Utah, to provide any and all additional funds required to complete the construction, extension, and improvement of the said high-school building, and shall submit proof of compliance with this provision to the Commissioner of Indian Affairs: *Provided further*, That plans and specifications for the construction, extension, and improvement of the said high-school building shall be furnished by the local or State authorities, without cost to the United States, and submitted to the Commissioner of Indian Affairs for approval, before any moneys appropriated hereunder may be expended, and that upon compliance with this provision actual work shall proceed under the direction of such local or State officials: *Provided further*, That payment for work in place shall be made monthly on vouchers properly certified by local officials of the Indian Service to the Commissioner of Indian Affairs, whose determination and approval of the proper amount chargeable to any appropri-

Roosevelt, Utah
Appropriation authorized for high school building.

⊥171

Post, p. 1120.

Additional funds.

Approval of plans and specifications.

Payment for work.

Indian children

ation made hereunder shall be final and sufficient for such payment thereof: *And provided further*, That the said high school so constructed, extended, and improved shall be maintained by the said school districts and shall be available to all the Indian children of the said districts on the same terms, as to other children of said school districts.

Approved, April 15, 1948.

[CHAPTER 219]

AN ACT

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, and for other purposes.

April 20, 1948
[H. R. 5214]

[Public Law 491]
62 Stat. 176

Independent Offices Appropriation Act, 1949.
Post, pp. 1027, 1196.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, namely:

⊥177

⊥TITLE I

* * *

⊥187

⊥INDIAN CLAIMS COMMISSION

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1946 (Public Law 726), creating an Indian Claims Commission, including personal services in the District of Columbia; printing and binding; and for deposit in the Treasury for penalty mail (39 U.S.C. 321d); $90,000.

60 Stat. 1049.
25 U.S.C. §§ 70–70v.

58 Stat. 394.
Post, p. 1049.

* * *

Approved, April 20, 1948.

[CHAPTER 237]

AN ACT

Authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and clerk of the Fort Peck General Council, members of the Fort Peck Tribal Executive Board, and other committees appointed by said Fort Peck General Council, and official delegates of the Fort Peck Tribes.

April 28, 1948
[S. 1021]

[Public Law 502]
62 Stat. 203

Fort Peck Indians.
Certain salaries and expenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, or his duly authorized representative, is hereby authorized beginning as of July 1, 1947, and until otherwise directed by Congress, to pay out of any unobligated tribal funds of the Fort Peck Indians in the Treasury of the United States the following salaries and expenses:

To the chairman, secretary, and clerk of the Fort Peck General Council and members of the Fort Peck Tribal Executive Board or other committees appointed by the general council, when engaged on business of the tribes, a salary of not to exceed $8 per day and a per diem of not to exceed $3 in lieu of subsistence and all other expenses; to such official delegates of the Fort Peck Tribes who may carry on the business of the tribes at the seat of government a salary of not to exceed $8 per day and a per diem of $10 in lieu of subsistence and all other expenses: *Provided*, That the rate of salary and per diem paid shall be fixed in advance by the general council of said tribes or by the Tribal Executive Board of the said tribes if authorized by said general council: *Provided further*, That the official delegates of the tribes carrying on said business at the seat of government shall also receive the usual railroad and sleeping-car, or airplane transportation to and from the seat of government, or, if travel is by automobile, delegates

Official delegates

furnishing such transportation shall receive an amount equivalent to the cost of their railroad and sleeping-car transportation to and from the seat of government, but salary and per diem shall not be paid to delegates traveling by automobile for any period in excess of the time required to perform the travel by railroad: *Provided further*, That the total amount of the aforesaid salaries and expenses shall not exceed $10,000 per annum: *And provided further*, That the length of stay of the official delegates at the seat of government shall be determined by the Commissioner of Indian Affairs.

Limitations.

Approved, April 28, 1948.

[CHAPTER 238]

AN ACT

To authorize the sale of certain public lands in San Juan County, Utah, to the Southwest Indian Mission, Incorporated.

April 28, 1948
[S. 2278]

[Public Law 503]
62 Stat. 203

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Southwest Indian Mission, Incorporated, is hereby authorized for a period of one year from and after the effective date of this Act to file with the Secretary of the Interior an application to purchase, and the Secretary of the Interior is hereby authorized and directed to issue a patent to it, for use by Saint Christopher's Mission to the Navajo, for the following-described lands in San Juan County, Utah: The east half of the southeast quarter of the southeast quarter of section 20, the west half of the southwest quarter of the southwest quarter of section 21, lot 4 and the northwest quarter of the northwest quarter of section 28 and lots 1, 2, and 5 of section 29, township 40 south, range 22 east, Salt Lake meridian, containing one hundred and sixty-five and five-tenths acres.

Southwest Indian Mission, Inc.
Purchase of land.

SEC. 2. The patent shall not be issued until after payment has been made by the Southwest Indian Mission, Incorporated, to the Secretary of the Interior for the land at its reasonable appraised price of not less than $1.25 per acre, to be determined by the Secretary in accordance with the provisions of the Act of December 22, 1928 (45 Stat. 1069). The patent shall reserve to the United States all of the oil, gas, and all other mineral deposits in the land, together with the right to prospect for, mine, and remove the same under such regulations as the Secretary of the Interior may prescribe.

Payment.

43 U.S.C. §§ 1068, 1068a.
Rights reserved to U.S.

Approved, April 28, 1948.

[CHAPTER 244]

AN ACT

Providing for payment of $50 to each enrolled member of the Mescalero Apache Indian Tribe from funds standing to their credit in the Treasury of the United States.

April 30, 1948
[S. 1468]

[Public Law 508]
62 Stat. 206

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to withdraw from the Treasury so much as may be necessary of the trust funds on deposit to the credit of the Mescalero Apache Tribe, and to make therefrom payment of $50 to each enrolled member of such tribe. The money paid to such members under this Act shall not be subject to any lien or claim of any nature against any of such members.

Mescalero Apache Indian Tribe.

Approved, April 30, 1948.

[CHAPTER 258]

JOINT RESOLUTION

To provide for the issuance of a special postage stamp in honor of the Five Civilized Tribes of Indians in Oklahoma.

May 4, 1948
[S.J. Res. 189]

[Public Law 515]
62 Stat. 211

Five Civilized Tribes, Okla.
Special postage stamp.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, to commemorate the centennial celebration of the Trail of Tears, the Postmaster General is hereby authorized and directed to issue a special postage stamp bearing the likeness of the great seals of the Five Civilized Tribes of Indians in Oklahoma: Choctaw, Chickasaw, Cherokee, Creek, and Seminole. Such stamp shall be issued in the denomination of 3 cents and for such a period, beginning October 15, 1948, as he may determine. Such special stamp shall be placed on sale in Muskogee, Oklahoma, one day before it is made available to the public elsewhere.

Approved, May 4, 1948.

[CHAPTER 266]

AN ACT

To authorize loans for Indians, and for other purposes.

May 7, 1948
[H.R. 2622]

[Public Law 516]
62 Stat. 211

Indians
Loans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, or his designated representative, is hereby authorized, under such regulations as the Secretary may prescribe, to make loans from the revolving fund established pursuant to the Acts of June 18, 1934 (48 Stat. 984), and June 26, 1936 (49 Stat. 1967), to tribes, bands, groups, and individual Indians, not otherwise eligible for loans under the said Acts: *Provided*, That no portion of these funds shall be loaned to Indians of less than one-quarter Indian blood.

25 U.S.C. §§ 461–479, 501–509; Supp. I, § 502
Post, pp. 991, 1118

Approved, May 7, 1948.

[CHAPTER 270]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes.

May 10, 1948
[H.R. 6055]

[Public Law 519]
62 Stat. 213

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

First Deficiency Appropriation Act, 1948
Ante, p. 59; *post*, p. 1027.

* * *

1219 ⊥DEPARTMENT OF THE INTERIOR

* * *

1220 ⊥BUREAU OF INDIAN AFFAIRS

Salaries and expenses, Reservation Administration: For an additional amount for "Salaries and expenses, Reservation Administration", including the objects specified under this head in the Interior Department Appropriation Act, 1948, $1,000.

61 Stat. 465.

Emergency work program, Navajo and Hopi Indians: For expenses necessary for administering and carrying out a work program for the Navajo and Hopi Indians, in accordance with the Act of December 19, 1947 (Public Law 390), including personal services in the District of Columbia; printing and binding; $1,000,000, to remain available until June 30, 1949, of which amount not to exceed $100,000 shall be available for loans to the Navajo and Hopi Tribes, members or association of members thereof for the purchase of milk animals.

61 Stat. 465.

Suppressing forest and range fires: For an additional amount of "Suppressing forest and range fires", $25,000.

1221 ⊥Construction, and so forth, irrigation systems: For an additional amount for the construction, rehabilitation, and improvement of irrigation systems on Indian reservations, including the same objects and limitations under this head in the Interior Department Appropri-

ation Act, 1948, to remain available until completion of the project, as follows: 61 Stat. 467.

Montana: Flathead, $125,000.

Construction, and so forth, buildings and utilities: For an additional amount for "Construction, and so forth, buildings and utilities", for the item "Alaska", $716,000.

MISCELLANEOUS INDIAN TRIBAL FUNDS

Suppressing forest and range fires (tribal funds): For an additional amount for "Suppressing forest and range fires (tribal funds)", $25,000.

* * *

Approved, May 10, 1948.

[CHAPTER 293]

AN ACT

To authorize the sale of individual Indian lands acquired under the Act of June 18, 1934, and under the Act of June 26, 1936.

May 14, 1948
[H.R. 5262]

[Public Law 529]
62 Stat. 236

Sale of Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, or his duly authorized representative, is hereby authorized in his discretion, and upon application of the Indian owners, to issue patents in fee, to remove restrictions against alienation, and to approve conveyances, with respect to lands or interests in lands held by individual Indians under the provisions of the Act of June 18, 1934 (48 Stat. 984), or the Act of June 26, 1936 (49 Stat. 1967).

25 U. S. C. §§ 461–479, 501–509; Supp. I, § 502. *Post*, p. 991.

Approved, May 14, 1948.

[CHAPTER 325]

AN ACT

To authorize the sale of certain individual Indian land on the Flathead Reservation to the State of Montana.

May 20, 1948
[H.R. 5118]

[Public Law 542]
62 Stat. 248

Flathead Reservation, Mont.
Sale of individual land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Clara Keenan Dumontier, a Flathead Indian, is hereby authorized to sell and convey to the State of Montana the following-described tract of land held by the United States in trust for her under the provisions of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), said conveyance to be made by an appropriate warranty deed approved by the Secretary of the Interior or his authorized representative: A tract of land in the north half of the southwest quarter, section 1, township 16 north, range 20 west, Montana principal meridian; more particularly described as follows: Beginning at the southwest corner of the said north half southwest corner, section 1, thence from the said point of beginning northerly along the west line of the said point of beginning northerly along the west line of the said section 1, two hundred and fourteen and five-tenths feet, to a point; thence south eighty degrees forty-eight minutes east one thousand three hundred and forty and five-tenths feet, to a point, on the south line of the said north half of the southwest quarter, section 1; thence westerly along the south line of the said north half of the southwest quarter, section 1, one thousand three hundred and twenty-three and three-tenths feet, to the said point of beginning, containing three and twenty-six hundredths acres, more or less.

25 U.S.C. §§ 461-479.

Approved, May 20, 1948.

[CHAPTER 326]

AN ACT

Authorizing the Secretary of the Interior to convey certain lands in South Dakota for municipal or public purposes.

May 20, 1948
[H.R. 5651]

[Public Law 543]
62 Stat. 248

Sioux Sanatorium Farm, Rapid City, S. Dak.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized in his discretion to convey without compensation any lands contained in the Sioux Sanatorium Farm at Rapid City, South Dakota, not necessary for the administration and operation of the Sioux Indian Sanatorium, to the city of Rapid City for municipal purposes, or to any public-school district for educational purposes, or to the State of South Dakota for use of the South Dakota National Guard: *Provided*, That the title to any lands so conveyed shall revert to the United States of America when the land is no longer used for the purposes for which such lands were initially conveyed. The Secretary may also in his discretion convey to any church organization for religious purposes, upon receipt of the reasonable value of such lands, any of such lands not conveyed for any of the purposes above named.

Reversion to U.S.

Conveyance to church organization.

Rehabilitation of needy Indians.

SEC. 2. The Secretary of the Interior is also authorized in his discretion to utilize any of the said lands for the rehabilitation of needy Indians, and to exchange any of such lands for other lands in or near Rapid City more suitable for this purpose.

Approved, May 20, 1948.

[CHAPTER 340]

AN ACT

May 25, 1948
[H. R. 5669]

To provide for adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes.

[Public Law 554]
62 Stat. 269

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the repayment to the United States of all reimbursable costs heretofore or hereafter incurred for the construction of the irrigation and power systems of the Flathead Indian irrigation project in Montana (hereinafter called the project), including such operation and maintenance costs as have been covered into construction costs under the Act of March 7, 1928 (45 Stat. 200, 212–213), and supplemental Acts, and including the unpaid operation and maintenance costs for the irrigation seasons of 1926 and 1927 which are hereby covered into construction costs, shall be accomplished as prescribed by this Act, notwithstanding any provision of law to the contrary.

Flathead Indian irrigation project, Mont.
Adjustment of irrigation charges.

Allocation of costs.

SEC. 2. (a) All costs heretofore or hereafter incurred for the construction of the irrigation system shall be allocated to the Mission Valley, Camas, and Jocko divisions of the project in proportion to the amount of such costs incurred for the respective benefit of each of these divisions.

Net revenues from power system.

(b) The net revenues heretofore and hereafter accumulated from the power system shall be determined by deducting from the gross revenues the expenses of operating and maintaining the power system, and the funds necessary to provide for the creation and maintenance of appropriate reserves in accordance with section 3 of the Act of August 7, 1946 (60 Stat. 895; 31 U.S.C., sec. 725s–3).

Deferred obligation.

(c) The deferred obligation established by the Act of May 10, 1926 (44 Stat. 453, 464–466), for repayment of the per acre costs of the Camas division in excess of the per acre costs of the Mission Valley division shall be determined on the basis of the costs heretofore incurred for the construction of those divisions, and shall be liquidated ⊥from the net revenues heretofore accumulated from the power system.

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Reduction of reimbursable costs.

(d) The remainder of the net revenues heretofore accumulated from the power system shall be applied to reduce the reimbursable costs heretofore incurred for the construction of the power system, and the reimbursable costs heretofore incurred for the construction of the irrigation system (exclusive of the deferred obligation for the excess costs of the Camas division) as allocated among the several divisions

pursuant to subsection (a) of this section, in proportion to the respective amounts of each of the foregoing categories of costs.

Reimbursable costs of irrigation system

Annual installments

(e) The reimbursable costs heretofore incurred for the construction of the irrigation system of each division of the project and not repaid through the credits provided for in subsections (c) and (d) of this subsection shall be scheduled for repayment in annual installments of approximately equal amount, in a manner which will provide for liquidation of such costs over a period of fifty years from January 1, 1950. The reimbursable costs hereafter incurred for the construction of the irrigation system shall be added to the schedule of repayments established pursuant to this subsection by increasing the amount or the number, or both, of the annual installments maturing after the incurrence of such costs, in a manner which will provide for their liquidation within a period not exceeding the useful life of the works involved, or not exceeding fifty years from the time when the additional costs are incurred, whichever period is the lesser. Each annual installment shall be distributed over all irrigable lands within the division on an equal per acre basis, and the costs so charged against any parcel of lands within the division shall constitute a first lien thereon under the Act of May 10, 1926 (44 Stat. 453, 464–466). Upon the maturity or prepayment of any annual installment, the amount of the installment shall be reduced by deducting any sums included therein which are chargeable to lands on which the collection of construction costs is then deferred under the Act of July 1, 1932 (47 Stat. 564; 25 U.S.C., sec. 386a), or which are chargeable to other lands and have been already repaid to the United States.

Reimbursable costs of power system

Annual installments

(f) The reimbursable costs heretofore incurred for the construction of the power system and not repaid through the credits provided for in subsections (c) and (d) of this subsection, or through other credits from the revenues of the power system, shall be scheduled for repayment in annual installments of approximately equal amount, in a manner which will provide for liquidation of such costs over a period not exceeding the remaining useful life of the power system as a whole, or not exceeding fifty years from January 1, 1950, whichever period is the lesser. The reimbursable costs hereafter incurred for the construction of the power system shall be added to the schedule of repayments established pursuant to this subsection by increasing the amount or the number, or both, of the annual installments maturing after the incurrence of such costs, in a manner which will provide for their liquidation within a period not exceeding the useful life of the works involved, or not exceeding fifty years from the time when the additional costs are incurred, whichever period is the lesser. Each annual installment shall be repaid to the United States solely out of the revenues from the power system.

Sale of electric energy

(g) Electric energy available for sale through the power system shall be sold at the lowest rates which, in the judgment of the Secretary of the Interior, will produce net revenues sufficient to liquidate the annual installments of the power system construction costs established pursuant to subsection (f) of this section, and (for the purpose of reducing the irrigation system construction costs chargeable against the lands embraced within the project and of insuring the carrying out of the intent and purpose of legislation and repayment contracts ⊥applicable to the project) to yield a reasonable return on the ⊥271
unliquidated portion of the power system construction costs, and (for the same purpose) to yield such additional sums as will cover the amount by which the wholesale value of the electric energy sold exceeds the cost thereof where such excess is the result of the electric energy having been obtained on a special basis in return for water rights or other grants.

Net revenues from power system.

(h) All net revenues hereafter accumulated from the power system

shall be applied annually to the following purposes, in the following order of priority:

(1) To liquidate all matured installments of the schedule of repayments for construction costs of the power system;

(2) To liquidate all matured installments of the schedule of repayments for construction costs of the irrigation system of each division, on an equal per acre basis for all irrigable lands within the division;

(3) To liquidate unmatured installments of the schedule of repayments for construction costs of the power system which will mature at a date not later than the maturity of any unliquidated installment of irrigation system construction costs;

(4) To liquidate unmatured installments of the schedule of repayments for construction costs of the irrigation system of each division which will mature at a date prior to the maturity of any unliquidated installment of power system construction costs, on an equal per acre basis for all irrigable lands within the division;

(5) To liquidate construction costs chargeable against Indian-owned lands the collection of which is deferred under the Act of July 1, 1932 (47 Stat. 564; 25 U.S.C., sec. 386a); and

(6) To liquidate the annual operation and maintenance costs of the irrigation system.

Allowance for construction costs.

(i) In applying net revenues from the power system to the annual installments of irrigation system construction costs for any division of the project under the preceding subsection, allowance shall be made for any construction costs deferred under the Act of July 1, 1932 (47 Stat. 564; 25 U.S.C., sec. 386a), or already repaid to the United States which have been deducted from such installments under subsection (e) of this section, by distributing the net revenues available for such application over all irrigable lands within the division on an equal per acre basis, and by applying the net revenues distributed to the lands chargeable with the construction costs that have been so deferred or repaid, in amounts proportionate to the deductions made on account of such costs, to any then unpaid or subsequently assessed costs of operating and maintaining the irrigation system which are chargeable against the same lands.

Assessment against lands.

(j) Any matured installment of irrigation system construction costs, or portion thereof, which is not liquidated at or before its maturity through the application thereto of net revenues from the power system under subsection (h) of this section shall be repaid to the United States by an assessment against the lands chargeable with the construction costs included in the installment. Such repayment shall be deferred for any period of time that may be requisite to provide for the assessment and collection of such costs in conformity with the laws of the State of Montana, but shall be completed within two years after the maturity of the installment concerned.

Supplemental contracts.

SEC. 3. The repayment adjustments provided for in sections 1 and 2 of this Act shall not become effective unless, within two years after the approval of this Act, the irrigation districts embracing lands within the project not covered by trust or restricted patents have entered into contracts satisfactory to the Secretary of the Interior, whereby such districts (1) obligate themselves for the repayment of

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the construction costs chargeable against all irrigable lands embraced within the districts contracting (exclusive of Indian-owned lands on which the collection of construction costs is deferred) to the extent and in the manner prescribed by sections 1 and 2 of this Act; (2) consent to such revisions in the limits of cost for the project, or any division thereof, as the Secretary and the districts contracting may mutually agree upon in order to facilitate the making of needed improvements and extensions to the irrigation and power systems; (3) provide for redetermination by the Secretary of the irrigable area of the project, or any division thereof, and for the exclusion of lands from

the project, with the consent of the holder of any water rights that would be canceled by such exclusion; and (4) make such other changes in the existing repayment contracts as the Secretary and the districts contracting may mutually agree upon for accomplishment of the purposes of this Act. In order to facilitate the commencement of repayment at the earliest pacticable time, such contracts may provide for adjusting the maturity dates or amounts of the annual installments in a manner which will ultimately place the repayment schedules on substantially the same basis as though such contracts had been entered into prior to their actual execution, but not earlier than January 1, 1949.

Cancellation of certain unpaid charges.

SEC. 4. Unpaid charges for operation and maintenance of the irrigation system which were assessed prior to May 10, 1926, against any lands within the project, amounting to a sum not exceeding $40,549.89, and unpaid charges due from consumers for electric energy sold through the power system between July 1, 1931, and June 30, 1942, amounting to a sum not exceeding $2,195.16, are hereby canceled. The cancellation of the operation and maintenance charges shall be reported in the reimbursable accounts rendered to the Comptroller General of the United States, pursuant to the Act of April 14, 1910 (36 Stat. 269, 270; 25 U.S.C., sec. 145), as deductions from the total indebtedness of the project without regard to the fiscal years in which, or the appropriations from which, the expenditures were made.

Appropriations authorized.

SEC. 5. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the following sums, for the following purposes, to be reimbursed to the United States as hereinafter provided:

Confederated Salish and Kootenai Tribes.

(a) The sum of $64,161.18, with interest thereon at the rate of 4 per centum per annum from May 18, 1916, and the sum of $409.38, with interest thereon at the same rate from December 1, 1925, to be used to repay the Confederated Salish and Kootenai Tribes of the Flathead Reservation in Montana the balance remaining due them under the Act of May 18, 1916 (39 Stat. 123, 141). The aggregate principal amount of $64,570.56 so repaid shall be added to the construction costs of the project and shall be reimbursable.

(b) The sum of $400,000 to be deposited in the United States Treasury to the credit of the Confederated Salish and Kootenai Tribes of the Flathead Reservation in Montana; of which sum one-half shall be in full settlement of all claims of said tribes on account of the past use of tribal lands for the physical works and facilities of the irrigation and power systems of the project, or for wildlife refuges; and the other one-half shall be in full payment to said tribes for a permanent easement to the United States, its grantees and assigns, for the continuation of any and all of the foregoing uses, whether heretofore or hereafter initiated, upon the tribal lands now used or reserved for the foregoing purposes. The said tribes shall have the right to use such tribal lands, and to grant leases or concessions thereon, for any and all purposes not inconsistent with such permanent easement. The amount deposited in the Treasury pursuant to this subsection shall be added to the construction costs of the project and shall be reimbursable.

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⊥(c) The sum of $1,000,000 to continue the construction of the irrigation and power systems of the project. Amounts expended pursuant to this subsection shall be added to the construction costs of the project and shall be reimbursable.

Restriction.

(d) No expenditure shall be made from any appropriation granted under the authorizations contained in this section until the repayment of all reimbursable construction costs incurred through such expenditure has been secured by contracts conforming to the requirements of section 3 of this Act.

Availability of appropriations.

SEC. 6. In each fiscal year commencing after the approval of this Act

for which an appropriation of the power revenues from the project is made in an indefinite amount pursuant to section 3 of the Act of August 7, 1946 (60 Stat. 895; 31 U.S.C., sec. 725s–3), the power revenues so appropriated shall be available, to the extent of not to exceed $75,000, for the purpose, in addition to those other purposes now required or permitted by law, of making such improvements and extensions to the power system as the Secretary of the Interior may deem requisite for the provision of electric service to persons whose applications for such service could not otherwise be complied with in due course of business. Amounts so expended shall be added to the unmatured portion of the reimbursable construction costs of the power system in accordance with subsection 2 (f) of this Act, so as not to reduce the net power revenues available for application under subsection 2 (h) of this Act.

Issuance of public notices.

SEC. 7. Consistent with the terms of the repayment contracts heretofore or hereafter executed, the Secretary of the Interior is hereby authorized to issue such public notices fixing construction costs and apportioning construction charges, to enter into such contracts, to make such determinations, to effect such adjustments in project accounts, to prescribe such regulations, and to do such other acts and things as may be necessary or appropriate to accomplish the purposes of this Act.

SEC. 8. All Acts or parts thereof inconsistent with the provisions of this Act are hereby repealed.

Approved, May 25, 1948.

[CHAPTER 400]

AN ACT

June 3, 1948
[H.R. 5607]

Making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes.

[Public Law 597]
62 Stat. 305

Departments of State, Justice, Commerce, and the Judiciary Appropriation Act, 1949

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, namely:

TITLE I—DEPARTMENT OF STATE

* * *

Department of State Appropriation Act, 1949

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⊥INTERNATIONAL ACTIVITIES

Post, pp. 1046, 1058.

United States participation in international organizations: For expenses necessary for United States participation in international organizations, including payment of the annual contributions, quotas, and assessments, and costs of permanent United States representation to such organizations, in not to exceed the respective amounts as follows:

* * *

Inter-American Indian Institute (56 Stat. 1303), $4,800;

* * *

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⊥In all, $24,541,262, together with such additional sums due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation:

* * *

Approved, June 3, 1948.

[CHAPTER 516]

AN ACT

June 19, 1948
[S. 1871]

To restore certain lands to the town site of Wadsworth, Nevada.

[Public Law 685]
62 Stat. 491

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That those portions of the town site of Wadsworth, Washoe County, Nevada, which were added to the Pyramid Lake Indian Reservation by order of the Acting Secretary of the Interior, dated January 12, 1939, are hereby restored to and made a part of such town site. All proceeds from the disposition of lots within the lands restored to the town site of Wadsworth by this Act, which may be sold at a price of not less than $25 per lot, provided such sale be approved by the Pyramid Lake Paiute Tribal Council, shall be deposited in the Treasury of the United States to the credit of the Pyramid Lake Paiute Tribe of Indians of the Pyramid Lake Indian Reservation, Nevada.

Wadsworth, Nev. Restoration of certain land.

Approved, June 19, 1948.

[CHAPTER 591]

AN ACT

To authorize the Secretary of the Interior to convey certain lands in the State of Montana to School District 55, Roosevelt County, Montana.

June 21, 1948
[S. 1933]

[Public Law 732]
62 Stat. 567

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey with the consent of the executive board of the Fort Peck Tribe by quitclaim deed to School District 55, Roosevelt County, Montana, the following-described lands located in Brockton, Roosevelt County, Montana: Lots 3 through 14 of block 16; lots 1 through 4 of block 9; and lots 13 through 16 of block 9.

School District 55, Roosevelt County, Mont. Conveyance.

SEC. 2. The lands authorized to be conveyed by this Act shall be used by the grantee for school purposes, including the use as a site for housing furnished to Indian families during the school term. The conveyance of such lands shall contain the express condition that if the grantee shall fail or cease to use such lands for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States, in trust for the Fort Peck Tribe.

Approved, June 21, 1948.

[CHAPTER 618]

JOINT RESOLUTION

Providing for the ratification by Congress of a contract for the purchase of certain lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians.

June 24, 1948
[S.J. Res. 203]

[Public Law 754]
62 Stat. 596

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following contract between the United States of America and the Choctaw and Chickasaw Nations of Indians, entered into on October 8, 1947, pursuant to the provisions of the Act of June 28, 1944 (58 Stat. 483), is hereby ratified by the Congress, to wit:

Choctaw and Chickasaw Nations of Indians. Ratification of contract.

"CONTRACT

"This contract of purchase, by and between the United States of America entered into in its behalf by J. A. Krug, Secretary of the Interior, and the Choctaw and Chickasaw Nations, acting by William A. Durant, Principal Chief of the Choctaw Nation, and Floyd E. Maytubby, Governor of the Chickasaw Nation, pursuant to the provisions of the Act of June 28, 1944 (58 Stat. 483), and for the purpose of carrying out the terms and provisions thereof, it is mutually agreed between the parties hereto, as follows:

"1. Subject to the approval of this contract by a vote of the living enrolled eligible voters of the Choctaw and Chickasaw Nations, and its ratification by the Congress of the United States, the United States agrees to pay to the Choctaw and Chickasaw Nations, and the

Purchase price.

Choctaw and Chickasaw Nations agree to accept, the sum of $8,500,000 in full payment for all of their right, title, and interest in the lands and mineral deposits reserved from allotment in accordance with the provisions of section 58 of the Supplemental Agreement of 1902 (32 Stat. 641), and in full and final settlement of any and all claims for damages against the United States for any failure on the part of the United States, its officers, agents, or employees, to sell such properties in accordance with the terms of the Supplemental agreement, or for any other failure alleged to have occurred in connection with the sale, lease, and administration of such properties by the United States, its officers, agents, or employees.

Credit of purchase price.

"2. Upon approval of this contract as provided by section 1 hereof, and its ratification by the Congress, the amount of the purchase price, when appropriated by the Congress, shall be placed to the credit of the Choctaw and Chickasaw Nations on the books of the Treasury of the United States, and shall be distributed as hereinafter set forth.

Conveyance.

"3. When the purchase price herein agreed upon shall have been appropriated, the Principal Chief of the Choctaw Nation and the Governor of the Chickasaw Nation shall execute a conveyance or conveyances, satisfactory in form and substance to the Secretary of the Interior, vesting in the United States all of the right, title, and interest of the said Choctaw and Chickasaw Nations, in and to such lands and mineral deposits, and releasing all claims for damages

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against the ⊥United States for the failure of the United States, its officers, agents, and employees, to sell such properties in accordance

32 Stat. 641

with the terms and provisions of said Supplemental Agreement of 1902, or for any other failure alleged to have occurred in connection with the sale, lease, and administration of such properties.

Allocation of purchase price.

"4. The purchase price when appropriated shall be allocated three-fourths (3/4) to the Choctaw Nation and one-fourth (1/4) to the Chickasaw Nation, and shall be distributed per capita by the Secretary of the Interior to the enrolled members of said Nations, exclusive of persons enrolled as Freedmen, who, under the Atoka Agreemnet (30 Stat. 495) are not entitled to share in this distribution. The share of a deceased member shall be distributed to his heirs or devisees determined in conformity with the law applicable at the date of the death of the deceased member, or the date of the death of his heirs or devisees.

Proof of death and heirship.

"Before payment is made to the heirs of any deceased member, proof of death and heirship satisfactory to the Superintendent for the Five Civilized Tribes Agency must be made, and the finding of said Superintendent upon such proof shall be final and conclusive. Such per capita payments shall be made directly to such members, or their heirs or devisees, any restrictions of law to the contrary notwithstanding, except that payments due to adults under legal disability, or to minors, may be made, under such rules and regulations as the Commissioner of Indian Affairs may prescribe, to legal guardians or curators of such adults or minors, or to natural guardians where legal guardians or curators have not been appointed.

"No expenditure of any kind or character shall be allowed the United States as an offset or claim for reimbursement against the proceeds from the sale of such lands and mineral deposits.

Proceeds from sale of property.

"5. All proceeds from the sale of any of the properties mentioned herein made subsequent to the date of this contract, and prior to the appropriation of the purchase price, shall be credited on the purchase price. All royalties from any coal, asphalt, oil, gas, or other minerals mined from the herein mentioned properties, until the first of the month in which the purchase price shall be appropriated, the balance of the purchase price of any sales made prior to the date of this contract, and such other moneys as may be due the Choctaw and Chickasaw Nations from said properties, shall, when paid, be placed to

Royalties.

the credit of the Choctaw and Chickasaw Nations on the books of the Treasury of the United States.

"6. This agreement shall not be binding upon the Choctaw and Chickasaw Nations until it has been duly approved by a majority of the living enrolled eligible voters of the Choctaw and Chickasaw Nations voting at a special election called for such purpose pursuant to the Act of June 28, 1944, and shall not be binding upon the United States until ratified by the Congress of the United States. Approval and ratification

58 Stat. 483.

"In Witness Whereof, the representatives of the parties hereto do hereunto affix their names this the 8th day of October, One Thousand Nine Hundred and Forty-Seven."

"J. A. KRUG,
"Secretary of the Interior.
"WILLIAM A. DURANT,
"Principal Chief of the Choctaw Nation.
"FLOYD E. MAYTUBBY,
"Governor of the Chickasaw Nation."

Approved, June 24, 1948.

[CHAPTER 645]

AN ACT

To revise, codify, and enact into positive law, Title 18 of the United States Code, entitled "Crimes and Criminal Procedure".

June 25, 1948
[H.R. 3190]

[Public Law 772]
62 Stat. 683

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Title 18 of the United States Code, entitled "Crimes and Criminal Procedure", is hereby revised, codified, and enacted into positive law, and may be cited as "Title 18, U.S.C., § ——", as follows:

Title 18, U.S. Code. Codification and enactment into positive law

TITLE 18—CRIMES AND CRIMINAL PROCEDURE

* * *

Part I—Crimes

* * *

⊥CHAPTER 23—CONTRACTS ⊥702

* * *

⊥§ 437. INDIAN CONTRACTS FOR GOODS AND SUPPLIES ⊥703

Whoever, being an officer, employee, or agent of the United States or any department or agency thereof, has any interest, direct or indirect, in any contract made or under negotiation, with the Government or with the Indians, for the purchase or transportation or delivery of goods or supplies for the Indians, or for the removal of the Indians, or colludes with any person attempting to obtain such contract, shall be fined not more than $5,000 or imprisoned not more than six months, or both; and removed from office.

§ 438. INDIAN CONTRACTS FOR SERVICES GENERALLY

Whoever receives money contrary to sections 81 and 82 of Title 25, shall be fined not more than $1,000 or imprisoned not more than six months, or both; and also forfeit the money so received.

⊥§ 439. INDIAN ENROLLMENT CONTRACTS ⊥704

Unless the United States consents, all contracts made with any person or persons, applicants for enrollment as citizens in the Five Civilized Tribes for compensation for services in relation thereto, shall be void, and—

Whoever collects or receives any moneys from any such applicants for citizenship, shall be fined not more than $500 or imprisoned not more than six months, or both.

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⊥CHAPTER 53—INDIANS

Sec.
1151. Indian country defined.
1152. Laws governing.
1153. Offenses committed within Indian country.
1154. Intoxicants dispensed in Indian country.
1155. Intoxicants dispensed on school site.
1156. Intoxicants possessed unlawfully.
1157. Livestock sold or removed.
1158. Counterfeiting Indian Arts and Crafts Board trade-mark.
1159. Misrepresentation in sale of products.
1160. Property damaged in committing offense.

§ 1151. INDIAN COUNTRY DEFINED

The term "Indian country", as used in this chapter, means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

§ 1152. LAWS GOVERNING

Except as otherwise expressly provided by law, the general laws of the United States as to the punishment of offenses committed in any place within the sole and exclusive jurisdiction of the United States, except the District of Columbia, shall extend to the Indian country.

This section shall not extend to offenses committed by one Indian against the person or property of another Indian, nor to any Indian committing any offense in the Indian country who has been punished by the local law of the tribe, or to any case where, by treaty stipulations, the exclusive jurisdiction over such offenses is or may be secured to the Indian tribes respectively.

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⊥§ 1153. OFFENSES COMMITTED WITHIN INDIAN COUNTRY

Any Indian who commits against the person or property of another Indian or other person any of the following offenses, namely, murder, manslaughter, rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny within the Indian country, shall be subject to the same laws and penalties as all other persons committing any of the above offenses, within the exclusive jurisdiction of the United States.

Any Indian who commits the offense of rape upon any female Indian within the Indian country, shall be imprisoned at the discretion of the court.

As used in this section the offenses of burglary and rape shall be defined and punished in accordance with the laws of the State in which such offenses were committed.

§ 1154. INTOXICANTS DISPENSED IN INDIAN COUNTRY

(a) Whoever sells, gives away, disposes of, exchanges, or barters any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or other intoxicating liquor of any kind whatsoever, except for scientific, sacramental, medicinal or mechanical purposes, or any essence, extract, bitters, preparation, compound, composition, or any article whatsoever, under any name, label, or brand, which produces intoxication, to any Indian to whom an allotment of land has been made while the title to the same shall be held in trust by the Government, or to any Indian who is a ward of the Government under charge of any Indian superintendent, or to any Indian, including

mixed bloods, over whom the Government, through its departments, exercises guardianship, and whoever introduces or attempts to introduce any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or intoxicating liquor of any kind whatsoever into the Indian country, shall, for the first offense, be fined not more than $500 or imprisoned not more than one year, or both; and, for each subsequent offense, be fined not more than $2,000 or imprisoned not more than five years, or both.

(b) It shall be a sufficient defense to any charge of introducing or attempting to introduce ardent spirits, ale, beer, wine, or intoxicating liquors into the Indian country that the acts charged were done under authority, in writing, from the War Department or any officer duly authorized thereunto by the War Department, but this subsection shall not bar the prosecution of any officer, soldier, sutler or storekeeper, attaché, or employee of the Army of the United States who barters, donates, or furnishes in any manner whatsoever liquors, beer, or any intoxicating beverage whatsoever to any Indian.

§ 1155. INTOXICANTS DISPENSED ON SCHOOL SITE

Whoever, on any tract of land in the former Indian country upon which is located any Indian school maintained by or under the supervision of the United States, manufactures, sells, gives away, or in any manner, or by any means furnishes to anyone, either for himself or another, any vinous, malt, or fermented liquors, or any other intoxicating drinks of any kind whatsoever, except for scientific, sacramental, medicinal or mechanical purposes, whether medicated or not, or who carries, or in any manner has carried, into such area any such liquors or drinks, or who shall be interested in such manufacture, sale, giving away, furnishing to anyone, or carrying into such area any of such liquors or drinks, shall be fined not more than $500 or imprisoned not more than five years, or both.

⊥§ 1156. INTOXICANTS POSSESSED UNLAWFULLY ⊥759

Whoever, except for scientific, sacramental, medicinal or mechanical purposes, possesses intoxicating liquors in the Indian country or where the introduction is prohibited by treaty or an Act of Congress, shall, for the first offense, be fined not more than $500 or imprisoned not more than one year, or both; and, for each subsequent offense, be fined nor more than $2,000 or imprisoned not more than five years, or both.

§ 1157. LIVESTOCK SOLD OR REMOVED

Where restricted Indians are in possession or control of livestock purchased for or issued to them by the Government, or the increase therefrom, such stock shall not be sold, transferred, mortgaged, or otherwise disposed of, except with the consent in writing of the superintendent or other officer in charge of the tribe to which the owner or possessor of the livestock belongs, and all transactions in violation of this provision shall be void.

All such livestock so purchased or issued and the increase therefrom belonging to restricted Indians and grazed in the Indian country shall be branded with the I D or reservation brand of the jurisdiction to which the owners of such stock belong, and shall not be removed from the Indian country except with the consent in writing of the superintendent or other officer in charge of the tribe to which the owner or possessor of such livestock belongs, or by order of the Secretary of War, in connection with the movement of troops.

Whoever violates this section by selling or otherwise disposing of such stock, purchasing, or otherwise acquiring an interest therein, or by removing such stock from the Indian country, shall be fined not more than $500 or imprisoned not more than six months, or both.

§ 1158. COUNTERFEITING INDIAN ARTS AND CRAFTS BOARD TRADE-MARK

Whoever counterfeits or colorably imitates any Government trade mark used or devised by the Indian Arts and Crafts Board in the Department of the Interior as provided in section 305a of Title 25, or, except as authorized by the Board, affixes any such Government trade mark, or knowingly, willfully, and corruptly affixes any reproduction, counterfeit, copy, or colorable imitation thereof upon any products, or to any labels, signs, prints, packages, wrappers, or receptacles intended to be used upon or in connection with the sale of such products; or

Whoever knowingly makes any false statement for the purpose of obtaining the use of any such Government trade mark—

Shall be fined not more than $500 or imprisoned not more than six months, or both; and shall be enjoined from further carrying on the act or acts complained of.

§ 1159. MISREPRESENTATION IN SALE OF PRODUCTS

Whoever willfully offers or displays for sale any goods, with or without any Government trade mark, as Indian products or Indian products of a particular Indian tribe or group, resident within the United States or the Territory of Alaska, when such person knows such goods are not Indian products or are not Indian products of the particular Indian tribe or group, shall be fined not more than $500 or imprisoned not more than six months, or both.

§ 1160. PROPERTY DAMAGED IN COMMITTING OFFENSE

Whenever a white person, in the commission of an offense within the Indian country takes, injures or destroys the property of any
⊥760 friendly Indian the judgment of conviction shall include a sentence ⊥that the defendant pay to the Indian owner a sum equal to twice the just value of the property so taken, injured, or destroyed.

If such offender shall be unable to pay a sum at least equal to the just value or amount, whatever such payment shall fall short of the same shall be paid out of the Treasury of the United States. If such offender cannot be apprehended and brought to trial, the amount of such property shall be paid out of the Treasury. But no Indian shall be entitled to any payment out of the Treasury of the United States, for any such property, if he, or any of the nation to which he belongs, have sought private revenge, or have attempted to obtain satisfaction by any force or violence.

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⊥787 ⊥CHAPTER 91.—PUBLIC LANDS

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§ 1853. TREES CUT OR INJURED

Whoever unlawfully cuts, or wantonly injures or destroys any tree growing, standing, or being upon any land of the United States which,
⊥788 ⊥in pursuance of law, has been reserved or purchased by the United States for any public use, or upon any Indian reservation, or lands belonging to or occupied by any tribe of Indians under the authority of the United States, or any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

* * *

§ 1855. TIMBER SET AFIRE

Whoever, willfully and without authority, sets on fire any timber, underbrush, or grass or other inflammable material upon the public domain or upon any lands owned or leased by or under the partial, concurrent, or exclusive jurisdiction of the United States, or under contract for purchase or for the acquisition of which condemnation proceedings have been instituted, or upon any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under authority of the United States, or upon any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

This section shall not apply in the case of a fire set by an allottee in the reasonable exercise of his proprietary rights in the allotment.

§ 1856. FIRES LEFT UNATTENDED AND UNEXTINGUISHED

Whoever, having kindled or caused to be kindled, a fire in or near any forest, timber, or other inflammable material upon any lands owned, controlled or leased by, or under the partial, concurrent, or exclusive jurisdiction of the United States, including lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted, and including any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under the authority of the United States, or any Indian allotment while the title to the same is held in trust by the United States, or while the same shall remain inalienable by the allottee without the consent of the United States, leaves said fire without totally extinguishing the same, or permits or suffers said fire to burn or spread beyond his control, or leaves or suffers said fire to burn unattended, shall be fined not more than $500 or imprisoned not more than six months, or both.

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⊥PART II ⊥1813

CRIMINAL PROCEDURE

* * *

⊥CHAPTER 203.—ARREST AND COMMITMENT ⊥1815

* * *

⊥§ 3055. OFFICERS' POWERS TO SUPPRESS INDIAN LIQUOR TRAFFIC ⊥1817

The chief special officer for the suppression of the liquor traffic among Indians and duly authorized officers working under his supervision whose appointments are made or affirmed by the Commissioner ⊥of Indian Affairs or the Secretary of the Interior may execute all ⊥1818 warrants of arrest and other lawful precepts issued under the authority of the United States and in the execution of his duty he may command all necessary assistance.

* * *

⊥CHAPTER 205.—SEARCHES AND SEIZURES ⊥1819

* * *

⊥§ 3113. LIQUOR VIOLATIONS IN INDIAN COUNTRY ⊥1820

If any superintendent of Indian affairs, or commanding officer of a military post, or special agent of the Office of Indian Affairs for the suppression of liquor traffic among Indians and in the Indian country and any authorized deputies under his supervision has probable cause

to believe that any person is about to introduce or has introduced any spirituous liquor, beer, wine or other intoxicating liquors named in sections 1154 and 1156 of this title into the Indian country in violation of law, he may cause the places, conveyances, and packages of such person to be searched. If any such intoxicating liquor is found therein, the same, together with such conveyances and packages of such person, shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one-half to the informer and one-half to the use of the United States. If such person be a trader, his license shall be revoked and his bond put in suit.

Ante, pp. 758, 759.

Any person in the service of the United States authorized by this section to make searches and seizures, or any Indian may take and destroy any ardent spirits or wine found in the Indian country, except such as are kept or used for scientific, sacramental, medicinal, or mechanical purposes or such as may be introduced therein by the War Department.

Ante, pp. 758, 759.

In all cases arising under this section and sections 1154 and 1156 of this title, Indians shall be competent witnesses.

* * *

1826 ⊥CHAPTER 211.—JURISDICTION AND VENUE

* * *

1827 ⊥§ 3242. INDIANS COMMITTING CERTAIN OFFENSES; ACTS ON RESERVATIONS

All Indians committing any of the following offenses, namely, murder, manslaughter, rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny on and within any Indian reservation, including rights-of-way running through the reservation, shall be tried in the same courts, and in the same manner, as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States.

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1832 ⊥CHAPTER 223.—WITNESSES AND EVIDENCE

* * *

1834 ⊥§ 3488. INTOXICATING LIQUOR IN INDIAN COUNTRY AS EVIDENCE OF UNLAWFUL INTRODUCTION

The possession by a person of intoxicating liquors in Indian country where the introduction is prohibited by treaty or Federal statute shall be prima facie evidence of unlawful introduction.

* * *

1859 ⊥SEC. 3. The fourteenth paragraph of section 17 of the Act of August 1, 1914 (chapter 222, 38 Stat. 601; 25 U.S.C., section 86), is amended to read as follows:

Five Civilized Tribes. Nonencumbrance of certain land.

"Land allotted to any applicant for enrollment as a citizen in the Five Civilized Tribes whether an Indian or freedman, shall not be affected or encumbered by any deed, debt, or obligation of any character contracted prior to the time at which said land may be alienated under the laws of the United States: *Provided further*, That the interest accruing from tribal funds and deposited in banks in the State of Oklahoma may be used as authorized by the Act of March third, nineteen hundred and eleven, under the direction of the Secretary of the Interior, to defray the expense of per capita payments authorized by Congress."

Use of interest.

36 Stat. 1058.

* * *

1862 Repeals. ⊥SEC. 21. The sections or parts thereof of the Revised Statutes or Statutes at Large enumerated in the following schedule are hereby

repealed. Any rights or liabilities now existing under such sections or parts thereof shall not be affected by this repeal.

* * *

Date	Statutes at Large				U.S. Code	
	Chapter	Section	Volume	Page	Title	Section
*		*		*		
1930—May 27						
Do	310	1–5, 6–8	46	391, 392	18	744a–744e, 746a–746h
*		*		*		
1940—June 8	276		54	249	25	217a
*		*		*		
June 11	323		54	304	18	451
*		*		*		
June 13	359		54	391	18	253
*		*		*		
Oct. 9						
Do	785	1–5	54	1058, 1059	18	576, 576a–576d
*		*		*		
1941—Nov. 15	472	1, 2	55	763, 764	18	106, 107
*		*		*		

Approved, June 25, 1948.

[CHAPTER 646]

AN ACT

June 25, 1948
[H. R. 3214]
[Public Law 773]
62 Stat. 869

To revise, codify, and enact into law title 28 of the United States Code entitled "Judicial Code and Judiciary".

Title 28, U.S. Code. Codification and enactment into law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 28 of the United States Code, entitled "Judicial Code and Judiciary" is hereby revised, codified, and enacted into law, and may be cited as "Title 28, United States Code, section—", as follows:

TITLE 28, JUDICIARY AND JUDICIAL PROCEDURE

* * *

PART IV

JURISDICTION AND VENUE

* * *

CHAPTER 85—DISTRICT COURTS; JURISDICTION

* * *

§ 1353. INDIAN ALLOTMENTS

The district courts shall have original jurisdiction of any civil action involving the right of any person, in whole or in part of Indian blood or descent, to any allotment of land under any Act of Congress or treaty.

The judgment in favor of any claimant to an allotment of land shall have the same effect, when properly certified to the Secretary of the Interior, as if such allotment had been allowed and approved by him; but this provision shall not apply to any lands held on or before December 21, 1911, by either of the Five Civilized Tribes, the Osage Nation of Indians, nor to any of the lands within the Quapaw Indian Agency.

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⊥CHAPTER 91—COURT OF CLAIMS

Sec.
1491. Claims against United States generally.
1492. Congressional reference cases.
1493. Departmental reference cases.
1494. Accounts of officers, agents or contractors.
1495. Damages for unjust conviction and imprisonment; claim against United States.
1496. Disbursing officers' claims.
1497. Oyster growers' damages from dredging operations.
1498. Patent cases.
1499. Penalties imposed against contractors under eight hour law.
1500. Pendency of claims in other courts.
1501. Pensions.
1502. Treaty cases.
1503. Set-offs.
1504. Tort claims.

§ 1491. CLAIMS AGAINST UNITED STATES GENERALLY

The Court of Claims shall have jurisdiction to render judgment upon any claim against the United States:

(1) Founded upon the Constitution; or

(2) Founded upon any Act of Congress; or

(3) Founded upon any regulation of an executive department; or

(4) Founded upon any express or implied contract with the United States; or

(5) For liquidated or unliquidated damages in cases not sounding in tort.

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⊥§ 1502. TREATY CASES

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Except as otherwise provided by Act of Congress, the Court of Claims shall not have jurisdiction of any claim against the United States growing out of or dependent upon any treaty entered into with foreign nations or with Indian tribes.

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⊥ PART VI

PARTICULAR PROCEEDINGS

* * *

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⊥CHAPTER 165—COURT OF CLAIMS PROCEDURE

Sec.
2501. Time for filing suit.
2502. Aliens' privilege to sue.
2503. Proceedings before commissioners generally.
2504. Plaintiff's testimony.
2505. Place of taking evidence.
2506. Interest of witness.
2507. Calls on departments for information.
2508. Counterclaim or set-off.
2509. Congressional reference cases.
2510. Departmental reference cases.
2511. Accounts of officers, agents or contractors.
2512. Disbursing officers; relief.
2513. Unjust conviction and imprisonment.
2514. Forfeiture of fraudulent claims.
2515. New trial, stay of judgment.
2516. Interest on claims and judgments.
2517. Payment of judgments.
2518. Certification of judgments for appropriation.
2519. Conclusiveness of judgment.
2520. Fees; cost of printing record.

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⊥§ 2501. TIME FOR FILING SUIT

Every claim of which the Court of Claims has jurisdiction shall be barred unless the petition thereon is filed, or the claim is referred by

the Senate or House of Representatives, or by the head of an executive department within six years after such claim first accrues.

Every claim under section 1497 of this title shall be barred unless the petition thereon is filed within two years after the termination of the river and harbor improvements operations on which the claim is based. Ante, p. 941

A petition on the claim of a person under legal disability or beyond the seas at the time the claim accrues may be filed within three years after the disability ceases.

A suit for the fees of an officer of the United States shall not be filed until his account for such fees has been finally acted upon, unless the General Accounting Office fails to act within six months after receiving the account.

§ 2502. ALIENS' PRIVILEGE TO SUE

Citizens or subjects of any foreign government which accords to citizens of the United States the right to prosecute claims against their government in its courts may sue the United States in the Court of Claims if the subject matter of the suit is otherwise within such court's jurisdiction.

§ 2503. PROCEEDINGS BEFORE COMMISSIONERS GENERALLY

Parties to any suit in the Court of Claims may appear before a commissioner in person or by attorney, produce evidence and examine witnesses. Commissioners, including reporter-commissioners taking testimony, may administer oaths or affirmations to witnesses. Subpoenas requiring the attendance of witnesses before commissioners may be issued by the court and compliance therewith shall be compelled under appropriate rules and orders of the court. Subpoenas for witnesses or for the production of testimony may issue out of the court by the clerk and shall be served by the United States marshal to whom they are directed.

The rules of the court shall provide for a finding and report of facts by a commissioner, and when directed by the court his recommendations for conclusions of law, to be filed in court with the testimony upon which the same is based, and for opportunity to file exceptions thereto, and a hearing thereon within such reasonable time as the court's rules or order may prescribe. This section shall not prevent the court from passing upon all questions and findings regardless of whether exceptions were taken before a commissioner.

§ 2504. PLAINTIFF'S TESTIMONY

The Court of Claims may, at the instance of the Attorney General, order any plaintiff to appear, upon reasonable notice, before any commissioner of the court and be examined on oath as to all matters pertaining to his claim. Such examination shall be reduced to writing by the commissioner, and shall be returned to and filed in the court, and may, at the discretion of the attorneys for the United States, be read and used as evidence on the trial. If any plaintiff, after such order is made and due and reasonable notice thereof is given to him, fails to appear, or refuses to testify or answer fully as to all material matters within his knowledge, the court may order that the case shall not be tried until he fully complies with such order.

§ 2505. PLACE OF TAKING EVIDENCE

Any judge of the Court of Claims may sit at any place within the United States to take evidence and report findings.

⊥If convenient, testimony shall be taken in the county where the witness resides. ⊥1977

§ 2506. INTEREST OF WITNESS

A witness in a suit in the Court of Claims shall not be exempt or disqualified because he is a party to or interested in such suit.

§ 2507. CALLS ON DEPARTMENTS FOR INFORMATION

The Court of Claims may call upon any department or agency of the United States for any information or papers it deems necessary, and may use all recorded and printed reports made by the committees of the Senate or House of Representatives.

The head of any department or agency may refuse to comply when, in his opinion, compliance will be injurious to the public interest.

§ 2508. COUNTERCLAIM OR SET-OFF; REGISTRATION OF JUDGMENT

Upon the trial of any suit in the Court of Claims in which any set-off, counterclaim, claim for damages, or other demand is set up on the part of the United States against any plaintiff making claim against the United States in said court, the court shall hear and determine such claim or demand both for and against the United States and plaintiff.

If upon the whole case it finds that the plaintiff is indebted to the United States it shall render judgment to that effect, and such judgment shall be final and reviewable.

The transcript of such judgment, filed in the clerk's office of any district court, shall be entered upon the records, and be a judgment of such district court and enforceable as such.

§ 2509. CONGRESSIONAL REFERENCE CASES

Whenever any bill, except for a pension, is referred to the Court of Claims by either House of Congress, such court shall proceed with the same in accordance with its rules and report to such House, the facts in the case, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitation should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy.

The court shall also report conclusions sufficient to inform Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

§ 2510. DEPARTMENTAL REFERENCE CASES

A claim or matter referred to the Court of Claims by the head of an executive department shall be proceeded with as are other cases pending in such court, under its rules.

The court shall report its findings of fact and conclusions of law to the head of the department who referred the claim or matter.

The Secretary of the Treasury may, upon the certificate of the Comptroller General of the United States, direct any claim or matter, of which, by reason of the subject matter or character, the Court of Claims might take jurisdiction on the voluntary action of the claimant, to be transmitted, with all the vouchers, papers, documents, and proofs pertaining thereto, to such court for trial and adjudication.

§ 2511. ACCOUNTS OF OFFICERS, AGENTS OR CONTRACTORS

Ante, p. 941.

Notice of suit under section 1494 of this title shall be given to the Attorney General and to the head of the department requested to settle the account in question.

The judgment of the Court of Claims in such suit, or of the Supreme Court upon review, shall be conclusive upon the parties, and payment of the amount found due shall discharge the obligation.

[A right of action shall accrue to the United States upon the judgment, but such right and any right of action on the original indebtedness shall be barred unless an action thereon is brought within three years after judgment. 1978

§ 2512. DISBURSING OFFICERS; RELIEF

Whenever the Court of Claims finds that any loss by a disbursing officer of the United States was without his fault or negligence, it shall render a judgment setting forth the amount thereof, and the General Accounting Office shall allow the officer such amount as a credit in the settlement of his accounts.

§ 2513. UNJUST CONVICTION AND IMPRISONMENT

(a) Any person suing under section 1495 of this title must allege and prove that: Ante, p. 941

(1) His conviction has been reversed or set aside on the ground that he is not guilty of the offense of which he was convicted, or on new trial or rehearing he was found not guilty of such offense, as appears from the record or certificate of the court setting aside or reversing such conviction, or that he has been pardoned upon the stated ground of innocence and unjust conviction and

(2) He did not commit any of the acts charged or his acts, deeds, or omissions in connection with such charge constituted no offense against the United States, or any State, Territory or the District of Columbia, and he did not by misconduct or neglect cause or bring about his own prosecution.

(b) Proof of the requisite facts shall be by a certificate of the court or pardon wherein such facts are alleged to appear, and other evidence thereof shall not be received.

(c) No pardon or certified copy of a pardon shall be filed with the Court of Claims unless it contains recitals that the pardon was granted after applicant had exhausted all recourse to the courts and that the time for any court to exercise its jurisdiction had expired.

(d) The Court may permit the plaintiff to prosecute such action in forma pauperis.

(e) The amount of damages awarded shall not exceed the sum of $5,000.

§ 2514. FORFEITURE OF FRAUDULENT CLAIMS

A claim against the United States shall be forfeited to the United States by any person who corruptly practices or attempts to practice any fraud against the United States in the proof, statement, establishment, or allowance thereof.

In such cases the Court of Claims shall specifically find such fraud or attempt and render judgment of forfeiture.

§ 2515. NEW TRIAL; STAY OF JUDGMENT

(a) The Court of Claims may grant a plaintiff a new trial on any ground established by rules of common law or equity applicable as between private parties.

(b) Such court, at any time while any suit is pending before it, or after proceedings for review have been instituted, or within two years after the final disposition of the suit, may grant the United States a new trial and stay the payment of any judgment upon satisfactory evidence, cumulative or otherwise, that any fraud, wrong, or injustice has been done the United States.

§ 2516. INTEREST ON CLAIMS AND JUDGMENTS

(a) Interest on a claim against the United States shall be allowed in

a judgment of the Court of Claims only under a contract or Act of Congress expressly providing for payment thereof.

1979 ⊥(b) Interest on judgments against the United States affirmed by the Supreme Court after review on petition of the United States shall be paid at the rate of four per cent per annum from the date of the filing of the transcript of the judgment in the Treasury Department to the date of the mandate of affirmance. Such interest shall not be allowed after the term of the Supreme Court at which the judgment was affirmed.

§ 2517. PAYMENT OF JUDGMENTS

(a) Every final judgment rendered by the Court of Claims against the United States shall be paid out of any general appropriation therefor, on presentation to the General Accounting Office of a certification of the judgment by the clerk and chief judge of the court.

(b) Payment of any such judgment and of interest thereon shall be a full discharge to the United States of all claims and demands arising out of the matters involved in the case or controversy.

§ 2518. CERTIFICATION OF JUDGMENTS FOR APPROPRIATION

The Secretary of the Treasury shall certify to Congress for appropriation only such judgments of the Court of Claims as are not to be reviewed or are entered upon mandate of the Supreme Court.

§ 2519. CONCLUSIVENESS OF JUDGMENT

A final judgment of the Court of Claims against any plaintiff shall forever bar any further claim, suit, or demand against the United States arising out of the matters involved in the case or controversy.

§ 2520. FEES; COST OF PRINTING RECORD

(a) The Court of Claims shall by rules impose a fee not exceeding $10, for the filing of any petition and the hearing of any case before the court, a judge, or a commissioner.

(b) The clerk shall collect a fee of 10 cents a folio for preparing and certifying a transcript of the record for the purpose of a writ of certiorari sought by the plaintiff, and for furnishing certified copies of judgments or other documents. Not less than $5 shall be charged for each certified copy of findings of fact and opinion of the court to be filed in the Supreme Court.

(c) The clerk shall also collect for each certified copy of the court's findings of fact and opinion a fee of 25 cents for five pages or less, 35 cents for those over five and not more than ten pages, 45 cents for those over ten and not more than twenty pages, and 50 cents for those of more than twenty pages.

(d) The cost of printing the record in every pending case in the court shall be taxed against the losing party, collected by the clerk of the court, except when the judgment is against the United States, and paid into the Treasury.

* * *

1992 Repeals ⊥SEC. 39. The sections or parts thereof of the Revised Statutes of the District of Columbia, Revised Statutes of the United States or Statutes at Large enumerated in the following schedule are hereby repealed. Any rights or liabilities now existing under such sections or parts thereof shall not be affected by this repeal.

SCHEDULE OF LAWS REPEALED

* * *

Date	⊥Statutes at Large				U.S. Code	
	Chapter	Section	Volume	Page	Title	Section
1945—						
*		*		*		
Dec. 28						
Do	596		596	661,662	28	193
*		*		*		

Approved, June 25, 1948.

[CHAPTER 658]

AN ACT

Making appropriations to supply deficiencies in certan appropriations for the fiscal year ending June 30, 1948, and for other purposes.

June 25, 1948
[H.R. 6935]

[Public Law 785
62 Stat. 1027

Second Deficiency Appropriation Act, 1948

Ante, pp. 59, 213

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiency appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

* * *

⊥DEPARTMENT OF THE INTERIOR

⊥1040

* * *

BUREAU OF INDIAN AFFAIRS

Red Lake Band, Chippewa Indians, Minnesota (tribal funds): For a per capita payment of $50 each to the members of the Red Lake Band of Chippewa Indians, Minnesota, $130,000, payable from the proceeds of the sale of timber and lumber of the Red Lake Reservation: *Provided*, That this amount is made available contingent upon the enactment of H.R. 5355, Eighteenth Congress, second session.

Post, p. 1218.

* * *

Approved, June 25, 1948.

[CHAPTER 732]

AN ACT

To amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

June 29, 1948
[H.R. 5888]

[Public Law 834]
62 Stat. 1105

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, and for continuing the construction and reconstruction of highways in accordance with the provisions of the Federal-Aid Highway Act of 1944 approved December 20, 1944 (58 Stat. 838), there is hereby authorized to be appropriated the sum of $450,000,000 for the fiscal year ending June 30, 1950, and a like sum for the fiscal year ending June 30, 1951.

Federal-Aid Highway Act of 1948

23 U.S.C. § 48, 16 U.S.C. § 503

23 U.S.C. §§ 60–63.

Appropriation authorized

The sum herein authorized for each fiscal year shall be available for expenditure as follows:

Availability of appropriation

Forty-five per centum for projects on the Federal-aid highway system.

Thirty per centum for projects as set forth in paragraph (b) of section 3 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), except that for the purposes of this Act and all subsequent Acts continuing the postwar construction and reconstruction of highways in accordance with the provisions of the Federal-Aid Highway Act of 1944, (1) the term "secondary and feeder roads" and the term "principal

58 Stat. 838
23 U.S.C. §§ 60–63.

"Secondary and feeder roads", "principal secondary and feeder roads."

secondary and feeder roads," wherever used in the Federal-Aid Highway Act of 1944, shall include county and township roads; and (2) in selecting county and township roads on which funds are to be expended, the State highway departments shall cooperate with township trustees and other appropriate local road officials; and

Twenty-five per centum for projects on the Federal-aid highway system in urban areas.

Apportionment.

The said sums, respectively, for any fiscal year, shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944 approved December 20, 1944: *Provided*, That the authorization for the fiscal year ending 1950 shall be apportioned among the States as soon as practicable after July 1, 1948, but not later than September 1, 1948.

58 Stat. 840.

Period of availability of funds.

Any sums apportioned to any State under the provisions of this section shall be available for expenditure in that State for two fiscal years after the close of the fiscal year for which such sums are authorized, and any sums apportioned to any State under section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944, shall be available for expenditure in that State for three fiscal years after the close of the fiscal year for which such sums are authorized and any amount so apportioned remaining unexpended at the end of such period shall lapse: *Provided*, That such funds for any fiscal year, including any funds authorized to be appropriated under this Act, shall be deemed to have been expended if a sum equal to the total of the sums apportioned to the State for such fiscal year is ⊥covered by formal agreements with the Commissioner of Public Roads for the improvement of specific projects as provided by this Act.

58 Stat. 840.

⊥1106

Cooperation in studies, etc.

SEC. 2. The Commissioner of Public Roads is hereby directed to cooperate with the State highway departments in a study of the status of improvement of the National System of Interstate Highways, designated in accordance with the provisions of section 7 of the Federal-Aid Highway Act of 1944; to invite the cooperation and suggestions of the Secretary of Defense and the National Security Resources Board as to their indicated or potential needs for improved highways for the national defense; and to supplement, not later than April 1, 1949, the report dated February 1, 1941, entitled "Highways for the National Defense" (Seventy-seventh Congress, first session), to reflect current conditions and deficiencies.

58 Stat. 842.
23 U. S. C. § 60.

Supplemental report.

Appropriation authorized.
23 U. S. C. § 23.

SEC. 3. (a) For the purpose of carrying out the provisions of section 23 of the Federal Highway Act (42 Stat. 218), as amended and supplemented, there is hereby authorized to be appropriated (1) for forest highways the sum of $20,000,000 for the fiscal year ending June 30, 1950, and a like sum for the fiscal year ending June 30, 1951, subject to the provision of section 9 of the Federal-Aid Highway Act of 1944 respecting the apportionment for forest highways in Alaska; and (2) for forest development roads and trails the sum of $17,500,000 for the fiscal year ending June 30, 1950, and a like sum for the fiscal year ending June 30, 1951: *Provided*, That immediately upon the passage of this Act the appropriation herein authorized for forest highways for the fiscal year ending June 30, 1950, shall be apportioned by the Federal Works Administrator for expenditure in the several States, Alaska, and Puerto Rico, according to the area and value of the land owned by the Government within the national forests therein which the Secretary of Agriculture is hereby directed to determine and certify to him from such information, sources, and departments as the Secretary of Agriculture may deem most accurate, and hereafter, on or before January 1 next preceding the commencement of each succeeding fiscal year the Federal Works Administrator shall make like apportionment of the appropriation authorized for such fiscal year: *Provided further*, That the Commissioner of Public Roads may

Forest highways, etc.

58 Stat. 842.

Apportionment.

Contracts.

incur obligations, approve projects, and enter into contracts under the apportionment of such authorizations, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided further*, That the appropriations made pursuant to authorizations heretofore, herein, and hereafter enacted for forest highways shall be considered available to the Commissioner of Public Roads for the purpose of discharging the obligations created hereunder in any State or Territory: *Provided further*, That the total expenditures on account of any State or Territory shall at no time exceed its authorized apportionment: *Provided further*, That appropriations for forest highways shall be administered in conformity with regulations jointly approved by the Federal Works Administrator and the Secretary of Agriculture: *Provided further*, That the Commissioner of Public Roads shall transfer to the Chief of the Forest Service from appropriations for forest highways such amounts as may be needed to cover necessary administrative expenses of the Forest Service in connection with the forest-highway program.

Availability of appropriations.

Limitation.

Transfer of funds.

(b) The authorization in section 9 of the Federal-Aid Highway Act of 1944 for forest highways for the fiscal year ending June 30, 1948, is hereby canceled.

58 Stat. 842.

(c) Hereafter, construction work on forest-development roads and trails, pursuant to the provisions of section 23 of the Federal Highway ⊥Act of November 9, 1921, as amended and supplemented, estimated to cost $10,000 or more per mile, exclusive of bridges, shall be advertised and let to contract. If such estimated cost is less than $10,000 per mile, or if, after proper advertising, no acceptable bid is received, or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account.

Advertisement for bids.

1107

42 Stat. 218.
23 U. S. C. § 23.

SEC. 4. (a) For the construction, reconstruction, improvement, and maintenance of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1950, and a like sum for the fiscal year ending June 30, 1951.

Park roads and trails.

16 U. S. C. §§ 8a-8c.

Appropriation authorized.

(b) For the construction and maintenance of parkways, to give access to national parks and national monuments, or to become connecting sections of a national parkway plan, over lands to which title has been transferred to the United States by the States or by private individuals, there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1950, and a like sum for the fiscal year ending June 30, 1951.

Access parkways.

Appropriation authorized.

(c) For the construction, improvement, and maintenance of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $6,000,000 for the fiscal year ending June 30, 1950, and a like sum for the fiscal year ending June 30, 1951: *Provided*, That the location, type, and design of all roads and bridges constructed shall be approved by the Public Roads Administration before any expenditures are made thereon, and all such construction shall be under the general supervision of the Public Roads Administration.

Indian reservation roads and bridges.

25 U. S. C. § 318a.

Appropriation authorized.

SEC. 5. All provisions of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838), not inconsistent with this Act, shall remain in full force and effect.

23 U. S. C. §§ 60-63.

SEC. 6. The first paragraph of section 21 of the Federal Highway

42 Stat. 217.

Act, approved November 9, 1921 (23 U.S.C. 21), is hereby amended to read as follows:

Research studies, etc.

"That so much, not to exceed 3¾ per centum, of all moneys appropriated or authorized to be appropriated for expenditure under the provisions of this Act, as the Federal Works Administrator may deem necessary for administering the provisions of this Act and for carrying on necessary highway research and investigational studies independently or in cooperation with the State highway departments and other research agencies, and for publishing the results thereof, shall be deducted therefrom for such purposes when the apportionment is made and the amount so deducted shall be available until expended from appropriations made under the provisions of this Act: *Provided*, That should the apportionment of the amounts authorized for the third postwar fiscal year be made in accordance with section 4 of the Federal-Aid Highway Act of 1944 before the approval of this Act, a revised apportionment may be made and the increased amount authorized by this section deducted for administration, research, and investigational studies."

Revised apportionment.

58 Stat. 840.

Short title.

SEC. 7. This Act may be cited as the "Federal-Aid Highway Act of 1948".

Approved, June 29, 1948.

[CHAPTER 754]

AN ACT

June 29, 1948
[H.R. 6705]

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes.

[Public Law 841]
62 Stat. 1112

Interior Department Appropriation Act, 1949.
Ante, p. 1040

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1949, namely:

* * *

⊥1114

⊥BUREAU OF LAND MANAGEMENT

* * *

⊥1116

⊥Payment to States: Not to exceed 33⅓ per centum of all grazing fees received from each grazing district on Indian lands ceded to the United States for disposition under the public-lands laws, to be paid to the State in which said lands are situated, in accordance with the provisions of section 11 of the act of June 28, 1934, as amended (43 U.S.C. 315j).

48 Stat. 1273.
43 U. S. C., Supp. I, § 315j.

* * *

BUREAU OF INDIAN AFFAIRS

Salaries and expenses, general administration: For expenses necessary for the general administration of the Bureau of Indian Affairs, including departmental personal services in the District of Columbia; rental of office equipment and the purchase of necessary supplies therefor; purchase of office furniture and equipment in addition to that which may be purchased from the appropriation for contingent expenses of the Department; printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, $740,000.

Salaries and expenses, district offices: For expenses of district offices at Billings, Montana, and Portland, Oregon, only, including printing and binding, $200,000: *Provided*, That any unobligated balances of 1948 appropriations for the Bureau of Indian Affairs shall be available for payment to employees for accumulated or accrued annual leave due upon their separation from service or furlough from

Payment of accumulated or accrued annual leave.

active duty by reason of reduction in force under the appropriation "Salaries and Expenses, District Offices".

Salaries and expenses, reservation administration: For necessary expenses of reservation administration, including pay of employees authorized by continuing or permanent treaty provisions, $2,400,000.

For maintaining law and order among Indians, including pay and other expenses of judges of Indian courts, Indian police, and employees engaged in the suppression of traffic in intoxicating liquors and deleterious drugs among Indians, $125,000.

Alaska native service: For expenses necessary to provide for the support, rehabilitation, education, conservation of health, development of resources, and relief of destitution of the natives of Alaska; ⊥the repair, rental, and equipment of school, hospital, and other buildings; the purchase or erection of range cabins and other temporary structures, including hospital structures and quarters on privately owned land; the hire, repair, equipment, maintenance, and operation of vessels; and for the administration of the Alaska native service, $4,118,962: *Provided*, That any agency of the United States Government having title thereto is authorized to transfer without charge to the Alaska native service, buildings, vessels, equipment, materials, and supplies surplus to its needs and which may be certified by the Department of the Interior as necessary for the improvement, maintenance, or operation of the Alaska native service: *Provided further*, That the foregoing provision shall not be construed to deny veterans the priority accorded to them in obtaining surplus property under the Surplus Property Act of 1944, as amended. 58 Stat. 765. 50 U. S. C. app. §§ 1611, 1616, Supp. I, § 1612 *et seq.*, Auth. pp. 350, 1103.

⊥ 1117

Transfer of surplus supplies

Priority to veterans

Navajo and Hopi service: For administering and carrying out a support and rehabilitation program for the Navajo and Hopi Indians, including printing and binding; transportation of Indians; grants to Indians; and for purposes otherwise applicable to other appropriations and provisions for the Bureau of Indian Affairs as follows:

Construction and maintenance services: For the construction and maintenance of roads and trails, irrigation systems, buildings, utilities, and other construction, including drainage and preparation of raw lands for irrigation farming, surveys, and investigations, private architectural and engineering services, and water exploration, $907,900, to remain available until expended, of which $373,900 shall be reimbursable in accordance with law.

Agency services: For administrative, industrial, resource, agricultural, educational, health, community welfare, and employment services, including cooperation with State and other organizations engaged in similar work, and payment of travel expenses and per diem of persons whose services are donated by such organizations, $4,334,115.

In all, Navajo and Hopi service, $5,242,015.

Purchase and transportation of Indian supplies: For advertising, inspection, storage, printing and binding, and all other expenses incident to the purchase of goods and supplies for the Bureau of Indian Affairs and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $700,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Maintenance of buildings and utilities: For expenses necessary to maintain buildings in the Bureau of Indian Affairs, including the lease, purchase, construction (not to exceed $1,500 for any one building), repair and improvement of buildings; the installation, repair, and improvement of utility systems, $755,000.

Education of Indians: For the support and education of Indian pupils in boarding and day schools and for other educational purposes, including educational facilities authorized by treaty provisions; tuition, care, and other expenses of Indian pupils attending public and

private schools; support and education of deaf, dumb, blind, mentally deficient, or physically handicapped; the tuition (which may be paid in advance) and other assistance of Indian pupils attending vocational or higher educational institutions under such regulations as the Secretary may prescribe; printing and binding (including illustrations); the support and equipment of an arts and crafts building at Anadarko, Oklahoma, and Indian museums at Rapid City, South Dakota, and Browning, Montana, and on the Fort Apache Reservation, Arizona; $10,100,000: *Provided*, That payment of tuition and care of Indian pupils may be made from date of admission.

Payment of tuition, etc.

‡1118

‡Conservation of health: For expenses necessary for the conservation of health among Indians, transportation of patients and attendants to and from hospitals and sanitoria; returning to their former homes and interring the remains of deceased patients; clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of travel expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and printing and binding, $6,714,500.

Welfare of Indians: For welfare services, including general support, relief of needy Indians, boarding home care of Indian children, institutional care of delinquent children, and payment of per diem, in lieu of subsistence, and other expenses of Indians participating in folk festivals, $472,710: *Provided*, That payment for the care of Indians may be made from the date of service.

Management, Indian forest and range resources: For the management and protection of forest, range, and wildlife resources on Indian reservations, and allotments other than the Menominee Indian Reservation, Wisconsin, including the payment of reasonable rewards for information leading to the arrest and conviction of any person or persons setting forest or range fires, or taking or destroying timber, in violation of law on Indian lands; the establishment of cooperative sustained yield forest units pursuant to the Act of March 29, 1944 (16 U.S.C. 583); and the development, repair, maintenance, and operation of domestic and stock water facilities, $900,000: *Provided*, That the United States shall be reimbursed for expenditures made from this appropriation for expenses incident to the sale of timber to the extent prescribed in regulations promulgated by the Secretary pursuant to the Act of March 1, 1933 (25 U.S.C. 413).

58 Stat. 132

47 Stat. 1417

Suppressing forest and range fires: For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, $12,000, which amount shall be available also for meeting obligations of the preceding fiscal year: *Provided*, That appropriations herein made for the Indian Service shall be available upon the approval of the Secretary for fire-suppression or emergency-prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress

Agriculture and stock raising: For the development of agriculture and stock raising among the Indians, including agricultural experiments and demonstrations and maintenance of a supply of suitable plants or seed for issue to Indians; the expenses of Indian fairs, including premiums for exhibits; and the control and eradication of fever ticks and contagious diseases among livestock of Indians, $761,907.

Ante, p. 211

Revolving fund for loans: The authorization for loans to individual Indians and Indian organizations otherwise ineligible to participate in loans from the fund established in accordance with the Act of June 18, 1934 (25 U. S. C. 470 and 471), and the Acts of June 26, 1936 (25 U. S. C. 506), May 1, 1936 (25 U. S. C. 473a), and July 12, 1943 (57 Stat. 459), is hereby increased from $962,500 to $1,250,000.

48 Stat. 986

49 Stat. 1968, 1250

25 U. S. C. § 303; Supp. I, § 303 note.

Acquisition of lands for Indian tribes: For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (25 U. S. C. 465), $150,000: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition ⊥of land or water rights within the States of Montana, Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations.

48 Stat. 985.

Restrictions.

⊥1119

Development of Indian arts and crafts: For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (25 U. S. C., ch. 7A), including expenses of exhibits, not to exceed $2,500 for printing and binding, and other necessary expenses, $35,000, of which not to exceed $15,500 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $8,180 per annum.

49 Stat. 891.

25 U. S. C. §§ 305-305e.

Ante, p. 867.

Salary limitation.

Irrigation: For the maintenance, operation, repair, and improvement of irrigation systems for Indian reservations and allotments; payment of operation and maintenance assessments on Indian lands and within non-Indian irrigation districts; payment of reclamation charges; purchase of water and water rights; including the purchase or rental of equipment, tools, and appliances; drainage and protection of irrigable lands from damage by floods or loss of water rights; and for all other necessary expenses, $421,700, of which $324,735 shall be reimbursable in accordance with existing law.

Construction, and so forth, irrigation systems: For the construction, rehabilitation, and improvement of irrigation systems on Indian reservations; the purchase or rental of equipment, tools, and appliances; the acquisition of rights-of-way; the development of domestic and stock water and water for subsistence gardens; the purchase of water rights, ditches, and lands needed for irrigation purposes; drainage and protection of irrigable lands from damage by floods or loss of water rights; preparation of raw reservation lands for irrigation farming, expenditures for which shall be repayable on a per acre basis by the lands benefited; as follows:

Arizona: Colorado River, $2,600,000; Salt River, $40,000;

Payment to the San Carlos irrigation and drainage district, in accordance with the provisions of the Act of March 7, 1947 (Public Law 10), $190,000;

61 Stat. 8.

Colorado: Southern Ute, $10,000;

Montana: Flathead, $200,000; Fort Belknap, $6,250; Fort Peck, $25,000; Tongue River, $9,750;

New Mexico: United Pueblos, $17,500;

Washington: Wapato (Satus Unit No. 3), $100,000;

Wyoming: Wind River, $15,000;

Miscellaneous small projects, $60,000;

For surveys, investigations, and administrative expenses, including not exceeding $12,500 for personal services in the District of Columbia, $137,500;

In all, $3,411,000, reimbursable in accordance with law, and to remain available until completion of the projects: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Commissioner of Indian Affairs, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 10 per centum.

Interchange of appropriations.

Construction, and so forth, buildings and utilities: For the construction, repair, or rehabilitation of Indian Service buildings and utilities,

including the purchase of land and the acquisition of easements or rights-of-way; purchase of furniture, furnishings, and equipment; private architectural and engineering services; and water explorations; as follows:

Alaska: Schools, hospitals, and quarters, $622,500, and in addition the Secretary may enter into contracts for this purpose in an amount not to exceed $5,925,000;

⊥1120

⊥Celilo Falls, Oregon: For the construction, repair, or rehabilitation of buildings and utilities at Celilo Falls, Oregon, for the use of the Yakima Indian Tribes, the Umatilla Indian Tribes, the Confederated Tribes of the Warm Springs Reservation, and other Columbia River Indians affiliated with the afore-mentioned tribes, $125,000;

Cherokee, North Carolina: Sewage works improvements, $79,000, and water supply, $35,000, reimbursable from Cherokee Tribal funds;

Consolidated Chippewa, Minnesota: For cooperation with public school districts, Mahnomen, Itasca, Pine, Becker, and Cass Counties (organized and unorganized) in the construction, improvement, and extension of school facilities in accordance with the Act of July 24, 1947, Public Law 231, $213,000; for cooperation with the public school board at Walker, Minnesota, for the extension of public school facilities in accordance with the Act of July 24, 1947, Public Law 223, $35,000;

61 Stat. 418

61 Stat. 414

Flathead, Montana: For cooperation with the State of Montana in the construction, extension, and improvement of a State tuberculosis sanitorium and quarters at Galen, Deer Lodge County, Montana, in accordance with the Act of August 4, 1947, Public Law 332, $750,000;

61 Stat. 729.

Great Lakes, Wisconsin: For cooperation with the school board of Hunter School District, Sawyer County, Wisconsin, in accordance with the Act of August 8, 1946, Public Law 667, $80,000;

60 Stat. 923

Haskell Institute, Kansas: Dormitory, $85,000;

Hopi, Arizona: School, $50,000;

San Carlos, Arizona: School and quarters, $75,000;

Sells, Arizona: School and quarters, $65,000;

Ante, p. 170.

Uintah and Ouray, Utah: For cooperation with the public school district of Roosevelt, Utah, in the construction, extension, and improvement of public school facilities, $250,000;

Western Shoshone, Nevada: To provide for the construction, extension, and improvement of public school buildings in Owyhee, Nevada, in accordance with the Act of July 11, 1947, Public Law 182, $200,000;

61 Stat. 315.

Various locations: Major repairs and improvements, $300,000;

For surveys and plans and administrative expenses, private architect and engineering service and water explorations, including personal services in the District of Columbia and printing and binding, $190,000;

In all, $3,154,500, to remain available until completion of the projects: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer.

Transfer of funds

Ante, p. 1107

45 Stat. 750
58 Stat. 838
23 U.S.C. §§ 60–63

Roads: For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Act of May 26, 1928 (25 U.S.C. 318a) and the Act of December 20, 1944 (Public Law 521), $2,500,000, to remain available until expended, of which amount not to exceed $9,250 may be expended for departmental personal services.

Senecas, N.Y.

Fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Six Nations, N.Y.

Fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

7 Stat. 46.

Choctaws, Okla.
7 Stat. 99.
11121
11 Stat. 611.

7 Stat. 213.

7 Stat. 212, 236.
7 Stat. 235.

Fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty ⊥of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Pawnees, Okla.

11 Stat. 729; 27 Stat. 644.

Fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Payment to Indians of Sioux Reservations: For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $150,000.

Payment of interest on Indian trust funds: For payment of accrued and accruing interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $1,195,000.

Proceeds from power: Not to exceed the amount of power revenues covered into the Treasury to the credit of each of the power projects, including revenues credited prior to August 7, 1946, shall be available for the purposes authorized by section 3 of the Act of August 7, 1946 (Public Law 647), including printing and binding, in connection with the respective projects from which such revenues are derived.

60 Stat. 926.
31 U.S.C. § 725s-3.

MISCELLANEOUS INDIAN TRIBAL FUNDS

Travel expenses.

Administration of Indian tribal affairs (tribal funds): For expenses of administering the affairs and property of Indian tribes, including pay and travel expenses, $365,000, payable from funds held by the United States in trust for the particular tribe benefited; not to exceed $50,000 for any one tribe.

Klamath Agency, Oreg.

Support of Klamath Agency, Oregon (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Klamath Agency, payable from funds held by the United States in trust for the Klamath Tribe of Indians, Oregon, $213,405, of which not to exceed the sums herein indicated shall be available for expenses incident to the following activities: Fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under contract approved by the Secretary, $4,500; education, $40,000; health, $51,375; law and order, $15,000; extension and land, $52,530; and administrative and other expenses, $50,000.

Menominee Agency, Wis.

Support of Menominee Agency and pay of tribal officers, Wisconsin (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Menominee Agency, Wisconsin, payable from funds held by the United States in trust for the Menominee Tribe of Indians, Wisconsin, $188,875, including $36,500 for relief of Indians in need of assistance, including cash grants; scholarships (not to exceed $1,550); and $5,500 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary: *Provided*, That not to exceed $10,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee advisory council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs: *Provided further*, That a recreational director for the Menominee Reservation may be employed with the approval of the Menominee Tribal Council.

Salaries, etc., of tribal officers.

Recreational director.

⊥1122
Osage Agency, Okla

⊥For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of the superintendent of the agency, a curator for the Osage Museum, at a salary of $1,954, which employee shall be an Osage Indian, appointed with the approval of the Osage Tribal Council, and of necessary employees, and pay of tribal officers; not to exceed $2,000 for the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, and printing and binding, $197,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That of the said sum herein appropriated $16,350 is hereby made available for travel and other expenses of members of the Osage Tribal Council, business committees, or other tribal organizations, when engaged on business of the tribe, including supplies and equipment, not to exceed $10 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Travel, etc., expenses

Five Civilized Tribes, Okla

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, and for salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw, and Chickasaw Nations, at salaries of $3,000 each for the said governor, said chief, and said mining trustee, chief of the Creek Nation at $1,200 and one attorney each for the Choctaw, Chickasaw and Creek Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Limitation

Creek Nation, Okla

Expenses of attorneys, Creek Nation of Indians, Oklahoma (tribal funds): For expenses of attorneys for the Creek Nation of Indians, Oklahoma, employed to prosecute Creek tribal claims under contract approved by the Interior Department on November 12, 1947, $2,500, payable out of funds on deposit in the Treasury to the credit of said Creek tribe of Indians.

Chickasaw Nation, Okla

Expenses of attorneys, Chickasaw Nation of Indians, Oklahoma (tribal funds): For expenses of attorneys for the Chickasaw Nation of Indians, Oklahoma, employed to prosecute Chickasaw tribal claims under contracts approved by the Interior Department, $2,000, payable out of funds on deposit in the Treasury to the credit of said Chickasaw tribe of Indians.

Expenses of tribal councils or committees thereof (tribal funds): For travel and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $50,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in the District of Columbia, for more than an eight-day period, unless the Secretary shall in writing approve a longer period.

Restriction

⊥1123

⊥Relief of needy Indians (tribal funds): For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing,

transportation, and all other necessary expenses, $112,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, Revised Statutes, as amended, or to the Act of May 27, 1930 (46 Stat. 391), as amended. 41 U.S.C. § 5

Compensation and expenses of attorneys (tribal funds): For compensation and expenses of attorneys employed by various tribes of Indians under contracts to be approved by the Secretary of the Interior, $82,880, payable from funds on deposit in the United States Treasury to the credit of the particular Indian tribe concerned. 18 U.S.C. §§ 744a-744h. Ante, p. 866.

Purchase and lease of lands (tribal funds): For the purchase of land and improvements on land; lease of lands and water rights; and necessary expenses incident thereto, $121,000, payable from funds held in trust for the particular tribe concerned, to remain available until expended: *Provided*, That title to any lands or improvements so purchased shall be taken in the name of the United States in trust for the tribe for which purchased: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights outside the boundaries of existing Indian reservations. Restriction.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of land, seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, $350,000, payable from tribal funds as follows: Menominee, Wisconsin, $167,500; Fort Mojave, Arizona, $15,000; Lummi, Washington, $2,500; Makah, Washington, $20,000; Nez Perce, Idaho, $20,000; Standing Rock, North Dakota, $50,000; Blackfeet, Montana, $75,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1948 are hereby continued available during the fiscal year 1949 for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youth to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years under such regulations as the Secretary may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1949 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary: *Provided further*, That enterprises operated under the authority contained in the foregoing proviso shall be governed by the regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U.S.C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U.S.C. 470). Funds continued available. 61 Stat. 470. Educational loans. Availability of funds. Tribal enterprises. Regulations. 48 Stat. 986. Advances. 48 Stat. 986.

Pima cropping operations (tribal funds): For continuing subjugation and for cropping operations on the lands of the Pima Indians ⊥in Arizona, there shall be available not to exceed $200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and main- ⊥1124

tenance charges assessed against tribal or allotted lands of said Pima Indians.

Suppressing forest and range fires (tribal funds): For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, $25,000, payable from funds held by the United States in trust for the respective tribes interested.

Support of Indian schools (tribal funds): For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf, dumb or blind, physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U.S.C. 155), not more than $712,000: *Provided*, That payment may be made from the date of admission for such tuition and care of Indian pupils.

44 Stat. 560.

Tuition, etc.

Vehicles: Applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the purchase of not to exceed two hundred passenger motor vehicles, for replacement only, and such vehicles may be used for the transportation of Indian school pupils.

Replacement of property destroyed by fire, flood, or storm: To meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for education of Indians, maintenance of buildings, reservation administration, the Alaska native service, and conservation of health among Indians shall be available, upon approval of the Secretary, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Bureau of Indian Affairs above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Availability of appropriations.

Appropriations herein made for reservation administration, education of Indians, and conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Bureau of Indian Affairs.

Travel expenses, etc.

Appropriations herein made for the Bureau of Indian Affairs shall be available for travel expenses and the purchase of ice for official use of employees.

Aircraft.

The following appropriations herein made for the Bureau of Indian Affairs shall be available for hire, maintenance, and operation of aircraft: "Management, Indian forest and range resources"; "Suppressing forest and range fires"; "Alaska native service"; "Navajo and Hopi service"; and "Suppressing forest and range fires (tribal funds)." Appropriations for "Salaries and expenses, reservation administration" shall be available for the maintenance and operation of aircraft.

* * *

⊥1133

⊥GEOLOGICAL SURVEY

* * *

⊥1134

38 Stat. 742; 40 Stat. 297; 41 Stat. 437, 1368.

⊥Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U.S.C. 435), October 2, 1917 (30 U.S.C. 141), February 25, 1920 (30 U.S.C. 181), as amended, and March 4, 1921 (48 U.S.C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves, and for necessary related operations; and for every expense incident thereto, including supplies, equipment, travel, and the construction,

maintenance, and repair of necessary camp buildings and appurtenances thereto, $690,000, of which not to exceed $78,600 may be expended for personal services in the District of Columbia:

* * *

⊥FISH AND WILDLIFE SERVICE ⊥1142

SALARIES AND EXPENSES

For expenses necessary in conducting investigations and carrying out the work of the Service, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

* * *

⊥Operation and maintenance of fish screens: For operation and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission, $36,300. ⊥1143

* * *

Alaska fisheries: For protecting the seal, sea otter, and other fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; construction, improvement, repair, and alteration of buildings and roads, and subsistence of employees while on said islands;

* * *

⊥GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR ⊥1149

Purchase of vehicles.

SEC. 2. Appropriations herein made shall be available for the purchase of vehicles generally known as quarter-ton or half-ton pick-up trucks and as station wagons without such vehicles being considered as passenger motor vehicles.

Emergency employment of aliens

SEC. 3. Notwithstanding any provision of law to the contrary, aliens may be employed during the fiscal year 1949 in the field service of the Department for periods of not more than thirty days in cases of emergency caused by fire, flood, storm, act of God, or sabotage.

Attendance at meetings

SEC. 4. Appropriations herein made for the following bureaus and offices shall be available for expenses of attendance of officers and employees at meetings or conventions of members of societies or associations concerned with their work in not to exceed the amounts indicated: Office of the Secretary, $850; Oil and Gas Division, $100; Board on Geographic Names, $150; Bureau of Land Management, $1,000; Bureau of Indian Affairs, $1,250; Bureau of Reclamation, $6,750; Geological Survey, $4,750; Bureau of Mines, $5,000; National Park Service, $1,250; Fish and Wildlife Service, $2,375; and soil and moisture conservation operations (all bureaus), $500.

Persons engaging, etc., in strikes against or advocating overthrow of U.S. Government

SEC. 5. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the

Affidavit

Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence, and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That in cases of emergency, caused by fire, flood, storm, act of God, or sabotage, persons may be employed for periods of not more than thirty days and be paid salaries and wages without the necessity of inquiring into their membership in any organization.

Penalty

Emergency employment

Jackson Hole National Monument

SEC. 6. No part of any appropriation contained in this Act shall be used directly or indirectly by way of wages, salaries, per diem or otherwise, for the performance of any new administrative function or the enforcement or issuance of any rule or regulation occasioned by the establishment of the Jackson Hole National Monument as described in Executive Proclamation Numbered 2578, dated March 15, 1943.

57 Stat. 731

Lump-sum leave payments

SEC. 7. Limitations on amounts to be expended for personal services under appropriations in this Act shall not apply to lump-sum leave ⊥1150 ⊥payments pursuant to the Act of December 21, 1944 (5 U.S.C. 61b–d).

58 Stat. 845

Dues, etc.

SEC. 8. Appropriations herein made shall be available for payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

60 Stat. 903.

SEC. 9. Appropriations in this Act shall be available for health service programs as authorized by law (5 U.S.C. 150).

Employees engaged in personnel work.

SEC. 10. Not to exceed a total of $875,000 of the appropriations contained in this Act shall be available for expenditure for the compensation of employees engaged in personnel work: *Provided*, That for purposes of this section employees will be considered as engaged in personnel work if they spend half time or more on personnel administration consisting of recruitment and appointments, placement, position classification, training, and employee relations.

60 Stat. 843. *Ante*, p. 1008.

SEC. 11. Appropriations in this Act shall be available for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U.S.C. 921).

SEC. 12. In purchasing lawbooks, books of reference, and periodicals, and in completing broken sets, the Secretary or his duly authorized representative may exchange similar items and apply the exchange allowances in such cases in whole or in part payment therefor.

Per diem rates

60 Stat. 810.

SEC. 13. Where appropriations in this Act are available for expenditure for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) such expenditures shall be at rates not exceeding $35 per diem for individuals (unless a higher rate is otherwise authorized by law or unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget).

* * *

Approved, June 29, 1948.

[CHAPTER 759]

AN ACT

June 30, 1948
[S. 1820]

To confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation.

[Public Law 846]
62 Stat. 1161

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation in that State to the same extent as its courts have jurisdiction generally over offenses committed within said State outside of any Indian reservation: *Provided, however*, That nothing herein contained shall deprive the courts of the United States of jurisdiction over offenses defined by the laws of the United States committed by or against Indians on Indian reservations.

Sac and Fox Indian Reservation.
Jurisdiction over offenses.

Approved, June 30, 1948.

[CHAPTER 765]

AN ACT

June 30, 1948
[H.R. 2878]

To amend the Act approved May 18, 1928 (45 Stat. 602), as amended, to revise the roll of the Indians of California provided therein.

[Public Law 852]
62 Stat. 1166

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of May 18, 1928 (45 Stat. 602), as amended by the Act of April 29, 1930 (46 Stat. 259), be, and the same is hereby, amended as follows:

Indians of California.

"SEC. 7. That the Secretary of the Interior, under such rules and regulations as he may prescribe, is hereby authorized and directed to revise the roll of the Indians of California, made by him in accordance with the provisions of the Act of May 18, 1928 (45 Stat. 602), as amended, by removing from said roll the names of persons who have died since May 18, 1928, and by adding the names of children, and their descendants, now living, born since May 18, 1928, to enrollees qualified under section 1 of the Act of May 18, 1928, whose names appear on said roll. The Indians of California in each community may elect a committee of three enrollees who may aid the enrolling agent in any matters relating to the revision of said roll. Any person claiming to be entitled to enrollment may, within one year after the approval of this Act, as herein amended, make an application in writing to the Secretary of the Interior for enrollment. After the expiration of such period of time, the Secretary of the Interior shall have one year to approve and promulgate such revised roll, after which the roll shall be closed and thereafter no additional names shall be added thereto: *Provided*, That the Secretary of the Interior shall prepare and distribute to the Indians of California not less than three thousand copies of an alphabetical printed list, consisting of the name of each Indian on the roll approved May 17, 1933, giving name, address, age at time of enrollment, and such other factual information, if any, as the Secretary may deem advisable as tending to identify each enrollee."

Revision of roll.

Application for enrollment.

Distribution of list.

SEC. 2. There is hereby authorized to be appropriated, out of any funds in the Treasury of the United States to the credit of the Indians of California, the sum of $25,000 to remain available until expended, to be used to defray the expenses incurred by the Secretary of the Interior in revising the roll, as provided herein.

Appropriation authorized.

Approved, June 30, 1948.

[CHAPTER 767]

AN ACT

June 30, 1948
[H.R. 5416]

To promote the interests of the Fort Hall Indian Irrigation project, Idaho, and for other purposes.

[Public Law 854]
62 Stat. 1167

Fort Hall Indian Irrigation project, Idaho

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That those provisions of the order of the Secretary of the Interior, dated February 6, 1948, which are based on certain recommendations contained in the Report on Conditions Found to Exist on the Fort Hall Irrigation Project and the Fort Hall Indian Reservation, Idaho, dated February 26, 1941, and which are described in the said order as made pursuant to the authority contained in the Act of June 22, 1936 (49 Stat. 1803), are hereby approved pursuant to the provisions of such Act.

25 U.S.C. §§ 389–389e; Supp. I, § 389 note.

Delivery of excess water

SEC. 2. During such periods as water for the Fort Hall Indian irrigation project may be available in excess of the present duty of three acre-feet per acre per annum, the Secretary of the Interior is authorized, in his discretion and under regulations to be prescribed by him, to permit the delivery of such excess water equally to the project lands in an amount not to exceed five-tenths acre-feet per acre per annum, in addition to the present duty of three acre-feet per acre per annum: *Provided, however*, That any surplus water temporarily available in addition to the three and five-tenths acre-feet per acre per annum may be furnished for use on project lands on terms, conditions, and rates to be prescribed by the Secretary of the Interior.

Little Indian Unit.

SEC. 3. The Little Indian Unit containing one thousand one hundred eighty-six and thirty-three one-hundredths acres of irrigable land in townships 2 and 3 south, ranges 36 and 37 east, Boise meridian, within the boundaries of the Fort Hall Indian Reservation, is hereby made a part of the Fort Hall Indian Irrigation project and the lands therein shall have the benefit of, and be subject to, all existing legislation applicable to said project to the same extent as other lands of like ownership and character within the project. The Indian-owned irrigable land in the unit shall be charged with its proper proportionate share of the project rehabilitation and improvement costs of $15.10 and not to exceed $7.50 per acre, respectively, as these costs are defined in the report referred to in section 1 of this Act. The non-Indian-owned irrigable land of the unit shall be entitled to receive only natural-flow water until a full project water right is acquired for said land through the execution by the owner of a contract, or contracts, providing for the repayment to the United States of like per-acre costs as are charged against the Indian-owned land in the unit. Said charges, as to Indian and non-Indian lands, shall be a first lien against the lands, under the Act of March 7, 1928 (45 Stat. 200, 210).

Indian-owned irrigable land

Non-Indian-owned irrigable land

25 U. S. C. § 387 note

Net irrigable area

SEC. 4. The net irrigable area of the Fort Hall Indian irrigation project is hereby established as forty-seven thousand and forty-four and sixty-three one-hundredths acres of land, more or less. This area includes the forty-six thousand eight hundred and three and seventy-two one-hundredths acres of land, more or less, shown as the irrigable area of the project by the maps and plats in the report referred to in ⊥section 1 of this Act, and the two hundred and forty and ninety-one one-hundredths acres, more or less, included in eight additional tracts of land described as follows: (a) An irregular shaped area in the northeast corner of the east half southwest quarter southeast quarter of section 36, township 5 south, range 33 east, Boise meridian, containing one and seventy one-hundredths acres; (b) an irregular shaped area lying along the east side of the Fort Hall Main Canal in the west half of section 35, township 5 south, range 34 east, Boise meridian, containing twenty-eight and seventeen one-hundredths acres; (c) an irregular shaped area lying along the east side of the Fort Hall Main Canal in the south half of section 14, township 6 south, range 34 east, Boise meridian, containing forty acres; (d) a portion of the northwest quarter northeast quarter of section 23, township 6 south, range 34 east, Boise meridian, containing thirty-three and forty-two one-hundredths acres; (e) Fairview Park in the east half southwest quarter southwest quarter northeast quarter and west half

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southeast quarter southwest quarter northeast quarter of section 23, township 6 south, range 34 east, Boise meridian, containing ten acres; (f) the east half northeast quarter northwest quarter of section 23, township 6 south, range 34 east, Boise meridian, containing twenty acres; (g) an irregular shaped area lying along the east side of the Pocatello lateral in section 23, township 6 south, range 34 east, Boise meridian, containing ninety-seven and sixty-two one-hundredths acres; and (h) the southwest quarter southwest quarter southwest quarter of section 24, township 6 south, range 34 east, Boise meridian, containing ten acres. The above-described tracts of land, together with such lands in the portion of the village of Alameda lying between the Pocatello lateral and the Oregon Short Line Railroad right-of-way in section 23, township 6 south, range 34 east, Boise meridian, as (notwithstanding their inclusion in the irrigable acreage shown by the maps and plats hereinabove mentioned) have no water right at present, shall be entitled to receive, or to continue to receive, water through pumping operations or by gravity flow, provided the respective owners thereof, within five years from the date of the enactment of this Act, enter into contracts whereby they agree (1) to pay their proper proportionate share of the project construction costs of $18.12 per acre, as these costs are defined in the report referred to in section 1 of this Act, for such of their lands as do not now have a project water right, (2) to pay their proper proportionate share of the project rehabilitation and improvement costs of $15.10 and not to exceed $7.50 per acre, respectively, for such of their lands as are not now covered by contracts for the repayment of such costs, and (3) to install, maintain, and operate, at their own expense, pumping machinery to lift the water from the project canals or laterals for the irrigation of such of their lands as cannot be supplied by gravity flow. The noninclusion of the Fort Hall town site within the net irrigable area of the project as hereby established shall not prevent the obtaining of water rights therefor in accordance with the Act of March 1, 1907 (34 Stat. 1015, 1025).

Contracts.

Fort Hall town site.

SEC. 5. There is excluded from the Fort Hall Indian Irrigation project by the designation of the project area in section 4 of this Act the nine thousand six hundred and seventy acres of tribal, allotted, and non-Indian-owned lands located between Fort Hall and Gibson, Idaho, heretofore authorized to be included in the project by the Act of March 3, 1927 (Ch. 371, 44 Stat. 1398). The construction costs apportioned to the tribal lands so excluded are hereby canceled and the water rights are made available for project use. The water rights for the lands of the several allottees and non-Indian owners within the area so excluded shall not be impaired or affected ⊥by reason of such exclusion, but water shall be delivered only at the head of the laterals serving these lands. The respective owners of such lands may make their water rights available for project use, whereupon the construction costs assessed or assessable against their lands with respect to the water rights thus made available shall be canceled by the Secretary of the Interior. Allottees of lands within the excluded area, or their heirs or devisees, may donate or sell their lands to the tribe or may exchange their lands for assignments of tribal lands within the project area. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, $8,000, or so much thereof as may be necessary, for the purchase by the Secretary of the Interior, in the name of the United States of America in trust for the Shoshone-Bannock Tribes of the Fort Hall Reservation, of one hundred and eighty acres of non-Indian-owned land, with water rights and improvements appurtenant thereto, described as the north half southeast quarter southwest quarter section 13, township 4 south, range 34 east, Boise meridian, and south half northeast quarter and north half southeast quarter section 7, town-

Exclusion of certain lands from project.

Cancellation of construction costs.

Water rights.

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Exchange of land by allottees.

Appropriation authorized.

ship 4 south, range 35 east, Boise meridian, located within the area excluded from the Fort Hall Indian Irrigation project by section 4 of this Act.

Ante, p. 1167.

Appropriation authorized.

SEC. 6. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $3,995 to compensate the following-named landowners, or their heirs, for work accomplished or for future work necessary in filling, leveling, and otherwise preparing for irrigation the abandoned portion of the old Fort Hall Main Canal within their holdings, in not to exceed the following amounts: Frank E. DeKay, $401; Henry Jensen, $633; Theodore H. Gathe, $654; A. E. Albert, $106; Ezra D. Wilson, $127; J. M. Bistline, $378; Ambrose H. McGuire, $424; Ellen Griffith, $412; C. M. Allen, $116; Olive A. Granden, $184; William Webster, $28; Hiram Faulkner, $114; Williamette Blakeslee, $298; Frank Parker, $99; and Henrietta C. Blakeslee, $21.

Conveyance of pumping equipment

SEC. 7. Pending the construction of a siphon to provide gravity flow water to ninety-six and six-tenths acres of irrigable lands in the southwest quarter section 27, and east half section 28, township 5 south, range 34 east, Boise meridian, Idaho, which lands have been irrigated by pumping operations over a period of years, the Secretary of the Interior may accept the conveyance by the landowners of the pumping equipment for use of the Fort Hall Indian Irrigation project and may operate such equipment as a part of said project in order to provide water for the irrigation of such lands; the acceptance of such conveyance being subject to the owners of the lands executing releases to the United States of any and all claims whatsoever due to the pumping operations carried on by such landowners.

Revision of existing contracts.

SEC. 8. The Secretary of the Interior is authorized, in his discretion, to revise and reform, upon such terms and conditions as he may determine to be fair and equitable in all the circumstances affecting the interests of the United States and the contractors, existing contracts between the United States and the Idaho Irrigation District, the Progressive Irrigation District, and the Snake River Valley Irrigation District in Idaho, which contracts provide for certain payments by the districts to the United States for the benefit of works of the Fort Hall Indian Irrigation project

Appropriation authorized

SEC. 9. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for refunds to Indians, or their heirs, the sum of $1,419.55, representing irrigation assessments of the Fort Hall Indian irrigation project

⊥1170

⊥erroneously made and collected, as follows: Andrew F. Cutler, $153.80; Alice Sorrell Johns, $168.95; Nettie Stinson LaVatta, $146,62; Earl Edmund Cutler, $159.20; Charles Faulkner, $145.25; Josephine LaVatta Rumas, $155.20; May Phyllis LaVatta Brower, $29.90; Leonard I. Cutler, $135.85; Effie Diggie Houtz, $122.75; Lucy Yandell Spencer, $25; Charles Gerard Cutler, $121.53; and Hattie Sorrell Siler Tillotson, $55.50.

Appropriation authorized.

SEC. 10. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary for the relocating, rehabilitating, cleaning, and extending of irrigation systems serving the lands irrigated from Ross Fork, Bannock, and Lincoln Creeks, which lands are outside of the Fort Hall Indian irrigation project, including the construction of a storage reservoir on Bannock Creek. The costs of any work benefiting Indian lands performed pursuant to this authorization shall be apportioned on a per acre basis and collected under laws applicable to Indian irrigable lands on the Fort Hall Indian irrigation project. Operation and maintenance charges against such lands shall likewise be subject to the same laws, rules, and regulations as apply to Indian lands on the Fort Hall project. Any unpaid charges against such lands shall be subject to a first lien as provided in the Act of March 7, 1928

(45 Stat. 200, 210). No expenditure shall be made under this authorization which will benefit lands in non-Indian ownership unless the owners thereof execute contracts providing for the repayment of their proportionate per acre share of the costs of the work assessable against their lands.

Liquidation of delinquent assessments.

SEC. 11. In order to prevent the accumulation of delinquent project assessments or other charges against the non-Indian-owned lands of the Fort Hall Indian irrigation project, the Secretary of the Interior is hereby authorized and directed to cause liquidation of all delinquent assessments or charges by taking such action as may be necessary, including the foreclosure of the Government's lien covering any such delinquent charges or by initiating such other procedure as may be legally available, which action may be taken by him at any time when in his judgment the best interests of the project would be served thereby.

SEC. 12. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved, June 30, 1948.

[CHAPTER 771]

AN ACT

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

June 30, 1948
[H.R. 6419]

[Public Law 858]
62 Stat. 1171

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * *

⊥TITLE II—FLOOD CONTROL

⊥1175

Flood Control Act of 1948.

State, etc., cooperation.

SEC. 201. That section 3 of the Act approved June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this title except that for any channel improvement or channel rectification project, provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, and except as otherwise provided by law:

49 Stat. 1571; 52 Stat. 1215.
33 U. S. C. §§ 701c, 701c-1.

* * *

Projects authorized.

SEC. 203. That the following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein:

* * *

⊥DELAWARE RIVER BASIN

⊥1176

* * *

SUSQUEHANNA RIVER BASIN

* * *

JAMES RIVER BASIN

* * *

CENTRAL AND SOUTHERN FLORIDA

* * *

ARKANSAS RIVER BASIN

* * *

⊥UPPER MISSISSIPPI RIVER BASIN

⊥1177

* * *

RED RIVER OF THE NORTH

* * *

OHIO RIVER BASIN

* * *

MISSOURI RIVER BASIN

* * *

⊥1178 ⊥GREAT LAKES BASIN

* * *

SANTA CLARA RIVER BASIN

* * *

GILA RIVER BASIN

* * *

WILLAMETTE RIVER BASIN

* * *

LOWER MISSISSIPPI RIVER

* * *

⊥1179 ⊥RIO GRANDE BASIN

* * *

⊥1181 ⊥Nothing in this Act shall be construed to abrogate or impair existing obligations of the United States or any agency thereof, including obligations to furnish water for irrigation and obligations to any Indian or tribe or band of Indians whether based on treaty, agreement, or Act of Congress.

Obligations of U.S.

Approved, June 30, 1948.

[CHAPTER 790]

AN ACT

July 1, 1948
[H. R. 2352]

To provide for sale to the Crow Tribe of interests in the estates of deceased Crow Indian allottees, and to provide for the sale of certain lands to the Board of County Commissioners of Comanche County, Oklahoma, and for other purposes.

[Public Law 870]
62 Stat. 1214

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon request of the Crow General Council or a committee empowered to act for it, the Secretary of the Interior, or his duly authorized representative, may execute an order transferring interests in inherited lands to the United States in trust for the Crow Tribe, provided (a) tribal funds of the Crow Tribe are available for payment of the purchase price, ⊥(b) a request is presented in writing by or for the heirs as provided in the Crow Act of June 8, 1940 (54 Stat. 252), and the appraised value as determined by the General Council or said committee is accepted by or for the heirs as above provided. The accrued irrigation operation and maintenance charges, if any, which are a lien on the land may remain as a charge against the land and the amount thereof shall be considered in determining the appraised value of the interests. In transferring interests the Secretary of the Interior, or his duly authorized representative, shall give preference so far as possible to transfers to the tribe of interests in estates having the largest number of heirs.

Crow Indian Tribe. Sale of inherited lands

⊥1215

Preference to heirs of deceased

SEC. 2. Upon request of the General Council or said committee, the Secretary of the Interior, or his duly authorized representative, may approve the sale to any Crow Indian of any lands, title to which is taken in the name of the United States in trust for the Crow Tribe under the first section of this Act, but preference in the sale of any such lands so far as possible shall be given to individual heirs of the deceased allottee with the largest interests. Such sale shall not include any mineral interests belonging to the tribe. Upon payment of the purchase price, the Secretary, or his duly authorized representative, shall, and he is hereby authorized to, convey by appropriate order the interest of the tribe in and to such lands to the purchaser thereof in trust, and such lands shall continue to be nontaxable so long as the lands remain in restricted status. In any case in which irrigation operation and maintenance charges have accrued against the lands sold under this section and remain unpaid at the time of such sale, the

Deferment of irrigation charges

obligation to pay such charges shall be assumed by the purchaser. Such charges may be deferred for ten years and the purchaser shall pay such charges in ten equal, annual installments, commencing with the eleventh year.

Reacquisition and resale of land

SEC. 3. Interests in lands acquired by the Crow Tribe and sold to one of its members in accordance with the provisions of sections 1 and 2 of this Act may again be acquired and sold pursuant to the same provisions.

Comanche County, Okla.
Sale of land

SEC. 4. That the Secretary of the Interior with the consent, in writing, of the tribal council representing the Indians of the Kiowa, Comanche, and Apache Reservation, is hereby authorized and directed to sell and convey to the Board of County Commissioners of Comanche County, Oklahoma, for public purposes, to wit: A site for a county hospital for said county upon such terms and conditions as he may prescribe—ten acres from the north one-half of section 30, township 2 north, range 11 west, Indian meridian, and more definitely described as follows:

The southeast quarter of the southeast quarter of the northwest quarter of said section 30, township 2 north, range 11 west, Indian meridian: *Provided*, That out of the proceeds of such sale the sum of $1.25 per acre shall be credited to the general fund of the United States Treasury and the balance shall be deposited in the United States Treasury to the credit of the tribal fund of Indians of the said Kiowa, Comanche, and Apache Reservation.

Credit of proceeds

Approved, July 1, 1948.

[CHAPTER 793]

AN ACT

Authorizing a per capita payment of $50 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

July 1, 1948
[H. R. 5355]

[Public Law 873]
62 Stat. 1218

Red Lake Band of Chippewa Indians, Minn.
Per capita payment
Ante, p. 1040.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. L. 137), to the credit of the Red Lake Indians in Minnesota, and to make therefrom a per capita payment or distribution of $50 to each of the members of the Red Lake Band of Chippewa Indians of the State of Minnesota, living at the date of the passage of this Act, immediately payable upon the passage of this Act, under such rules and regulations as the said Secretary may prescribe: *Provided*, That the money paid to the Indians as authorized herein shall not be subject to any lien or claim of attorneys or other parties: *Provided further*, That before any payment is made hereunder, the Red Lake Band of Chippewa Indians in Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify the provisions of this Act and accept same.

Approved, July 1, 1948.

[CHAPTER 809]

AN ACT

To confer jurisdiction on the State of New York with respect to offenses committed on Indian reservations within such State.

July 2, 1948
[S. 1683]

[Public Law 881]
62 Stat. 1224

Indian reservations, N. Y.
Jurisdiction over offenses

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of New York shall have jurisdiction over offenses committed by or

against Indians on Indian reservations within the State of New York to the same extent as the courts of the State have jurisdiction over offenses committed elsewhere within the State as defined by the laws of the State: *Provided*, That nothing contained in this Act shall be construed to deprive any Indian tribe, band, or community, or members thereof, hunting and fishing rights as guaranteed them by agreement, treaty, or custom, nor require them to obtain State fish and game licenses for the exercise of such rights.

Approved, July 2, 1948.

[CHAPTER 812]

AN ACT

July 2, 1948
[S. 2743]

Providing for the more expeditious determination of certain claims filed by Ute Indians.

[Public Law 884]
62 Stat. 1228

Ute Indians.
Determination of certain claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes, approved June 28, 1938 (52 Stat. 1209), as amended July 15, 1941 (55 Stat. 593), June 22, 1943 (57 Stat. 160), June 11, 1946 (60 Stat. 255), and August 13, 1946 (60 Stat. 1049), is hereby amended by adding to section 3 thereof the following: "The court shall, upon a determination of the material issues or upon consent of the parties, enter a separate final judgment for any value of the surface and a subsequent separate final judgment for any value of the subsurface of the land which the court may determine to be the subject matter of case numbered 45585 in the United States Court of Claims entitled, Confederated Bands of Ute Indians versus United States of America. Each of the judgments shall be subject to review in accordance with the provisions of section 3 of the Act of February 13, 1929 (ch. 229, 43 Stat. 939), as amended by the Act approved May 22, 1939 (ch. 140, 53 Stat. 752; 28 U. S. C. 288). Any value subse-⊥quently allowed by the court for the subsurface, when added to any value previously allowed by the court for the surface, shall not exceed the court's determination of the value, if any, of the land, surface, and subsurface, valued as a whole. The parties may compromise or settle in whole or part claims for any of the surface or subsurface values involved, and any settlement or compromise shall be reduced to a separate judgment. The services rendered by the attorney or attorneys in obtaining any judgment shall constitute a separate employment and undertaking involving a single set of services and the court shall award separate compensation for the services rendered in obtaining each separate judgment. Nothing in this Act shall be construed to reduce or increase fees payable to counsel in accordance with their duly approved and executed contracts or to preclude their continued representation in any case until paid; nor, with respect to any judgment hereunder, shall this amendment impair or limit any claim, right, defense, or offset otherwise applicable."

25 U. S. C. §§ 70–70v.
Separate judgments for surface and subsurface of land.

Ante, p. 1000.

⊥1229

Attorneys' fees.

Approved, July 2, 1948.

[CHAPTER 822]

AN ACT

July 3, 1948
[S. 1243]

To provide for the payment of revenues from certain lands into the tribal funds of the Confederated Tribes of the Warm Springs Reservation of Oregon, and for other purposes.

[Public Law 892]
62 Stat. 1237

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) all money

Confederated Indian Tribes of Warm Springs Reservation, Oreg.
Disposition of certain revenues.

received by or on account of the Forest Service or other agency of the United States after the dismissal of the proceeding in the Court of Claims entitled "The Warm Springs Tribe of Indians of Oregon versus The United States", numbered M–112, for timber (on a stumpage basis) grown on, the lease or rental of, or other rights in, the lands described in subsection (b) of this section shall be deposited into the Treasury of the United States to the credit of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to the provisions of the Act of May 17, 1926 (44 Stat. 560). The funds so deposited, together with any other funds credited to the Confederated Tribes of the Warm Springs Reservation of Oregon under said Act ⊥shall be available for such purposes as may be designated by the governing body of said Confederated Tribes and approved by the Secretary of the Interior. The sixth paragraph under the heading "Forest Service" of the Act of May 23, 1908, and section 13 of the Act of March 1, 1911, both as amended (16 U. S. C., sec. 500), and the fourteenth paragraph under the heading "Forest Service" of the Act of March 4, 1913 (16 U. S. C., sec. 501), shall not be applicable to the money so received.

25 U. S. C. § 155

⊥1238

35 Stat. 260, 36 Stat. 963

37 Stat. 843

(b) The lands referred to in subsection (a) of this section are described as follows:

All lands of the United States included within the Mount Hood National Forest in the State of Oregon and lying and being within an area bounded by a line beginning at a point in the middle of the channel of the Deschutes River, established as the initial point of the Handley survey of 1871; thence in a direct line northwestwardly to the seven-and-one-half-mile post of the McQuinn survey of 1887; thence continuing northwestwardly along the line of the McQuinn survey to the thirty-mile post thereof at Little Dark Butte in the Cascade Mountains; thence following the McQuinn survey southwestwardly in a direct line to the summit of Mount Jefferson; thence northeastwardly in a direct line to the western terminus of the northern boundary of the Warm Springs Indian Reservation as established by the Act of June 6, 1894 (28 Stat. 86); thence along said northern boundary to the place of beginning.

(c) The lands described in subsection (b) of this section shall continue to be administered by the departments and agencies now administering them.

SEC. 2. The benefits herein granted to the Confederated Tribes of the Warm Springs Reservation of Oregon shall be in full satisfaction of all claims of such Indians asserted in the above-mentioned proceeding in the Court of Claims. Any remaining jurisdiction of the Court of Claims with respect to such proceeding is hereby withdrawn, and no court or commission shall have jurisdiction over the subject matter of such proceeding.

Effective date.

SEC. 3. This act shall not become effective unless the Confederated Tribes of the Warm Springs Reservation of Oregon accept its provisions, in such manner as may be designated by the Secretary of the Interior, within one year after the approval hereof.

Approved, July 3, 1948.

PRIVATE LAWS OF THE EIGHTIETH CONGRESS, SECOND SESSION, 1948

[CHAPTER 86]

AN ACT

February 28, 1948
[S. 311]

[Private Law 185]
62 Stat 1313

Authorizing the issuance of a patent in fee to Charles Ghost Bear, Senior.

Charles Ghost Bear, Sr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed ⊥to issue to Charles Ghost Bear, Senior, of Gordon, Nebraska, a patent in fee to the following-described lands allotted to him in the

⊥1314

State of South Dakota: The southwest quarter of section 13, township 40 north, range 34 west, sixth principal meridian.

Approved, February 28, 1948.

[CHAPTER 87]

AN ACT

February 28, 1948
[S. 312]

Authorizing the issuance of a patent in fee to Charles Kills the Enemy.

[Private Law 186]
62 Stat. 1314

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Charles Kills the Enemy, of Winner, South Dakota, a patent in fee to the following-described lands allotted to him in the State of South Dakota: The northwest quarter of section 21, township 36 north, range 29 west, sixth principal meridian.

Charles Kills the Enemy.

Approved, February 28, 1948.

[CHAPTER 94]

AN ACT

March 3, 1948
[S. 402]

To authorize and direct the Secretary of the Interior to issue to James Black Dog a patent in fee to certain land.

[Private Law 190]
62 Stat. 1315

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to James Black Dog, a Fort Peck Indian allottee, a patent in fee to the northeast quarter of section 34, township 30 north, of range 53 east, Montana principal meridian, containing one hundred and sixty acres: *Provided*, That when the land herein described is offered for sale, the Fort Peck Tribe or any Indian who is a member of said tribe shall have ninety days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

James Black Dog

Approved, March 3, 1948.

[CHAPTER 95]

AN ACT

March 3, 1948
[S. 500]

Authorizing the issuance of a patent in fee to Tom Eagleman.

[Private Law 191]
62 Stat. 1315

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Tom Eagleman, of Pierre, South Dakota, a patent in fee to the southwest quarter of the southeast quarter and the south half of the southwest quarter of section 25 and lot 3 of the southeast quarter of section 26, all in township 108, range 73 west, of the fifth principal meridian, South Dakota: *Provided*, That when the land herein described is offered for sale, the Crow Creek Sioux and the Lower Brule Sioux Tribes or any Indian who is a member of said tribes shall have ninety days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Tom Eagleman

Approved, March 3, 1948.

[CHAPTER 152]

AN ACT

March 25, 1948
[S. 400]

Authorizing the issuance of a patent in fee to Mabel Townsend Pretty On Top.

[Private Law 219]
62 Stat. 1326

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon applica-

tion in writing, the Secretary of the Interior is authorized and directed to issue to Mabel Townsend Pretty On Top, of Lodge Grass, Montana, a patent in fee to the following-described lands situated in the State of Montana: The southwest quarter of section 13, township 7 south, range 37 east, Montana principal meridian: *Provided*, That when the land herein described is offered for sale, the Crow Tribe or ⊥any Indian who is a member of said tribe shall have ninety days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Mabel Townsend Pretty On Top.

⊥ 1327

Approved, March 25, 1948.

[CHAPTER 153]

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Clarence M. Scott.

March 25, 1948
[S. 401]

[Private Law 220]
62 Stat. 1327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, upon the filing of a written application by the Indian owner named in this Act, to issue to Clarence M. Scott, of Billings, Montana, a patent in fee to the following-described lands, including homestead lands allotted to him on the Crow Indian Reservation, Montana: The south half of section 16, and the north half of the northwest quarter and the northwest quarter of the northeast quarter of section 21, township 6 south, range 32 east, Montana principal meridian.

Clarence M. Scott.

Approved, March 25, 1948.

[CHAPTER 154]

AN ACT

Authorizing the issuance of a patent in fee to Mrs. Mary E. Leaf.

March 25, 1948
[S. 773]

[Private Law 221]
62 Stat. 1327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Mrs. Mary E. Leaf, of McIntosh, South Dakota, a patent in fee to the following-described lands allotted to her in Corson County, State of South Dakota: The west half of section 20, township 22 north, range 21 east, of the Black Hills meridian: *Provided*, That when the land herein described is offered for sale, the Standing Rock Sioux Tribe or any Indian who is a member of said tribe shall have ninety days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Mrs. Mary E. Leaf.

Approved, March 25, 1948.

[CHAPTER 155]

AN ACT

Authorizing the issuance of a patent in fee to Robert E. Doyle.

March 25, 1948
[S. 1407]

[Private Law 222]
62 Stat. 1327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized in his discretion to issue to Robert E. Doyle a patent in fee to the following-described lands situated in Big Horn County, Montana: The north half of the northwest quarter, the southeast quarter of the northwest quarter, and the southwest quarter, section 28; the north half of the northwest quarter, the southeast quarter of the northwest quarter, and the southwest quarter, section 28; the north half of the northeast quarter, the southwest quarter of the northeast quarter, the south-

Robert E. Doyle.

east quarter, and the east half of the east half of the west half, section 29; township 8 south, range 37 east, Montana principal meridian, containing six hundred and forty acres.

Approved, March 25, 1948.

[CHAPTER 156]

March 25, 1948
[S. 1517]

AN ACT

[Private Law 223]
62 Stat. 1328

Authorizing the issuance to James Perry Doyle of a patent in fee to certain lands in Big Horn County, Montana.

James Perry Doyle.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to James Perry Doyle, a Crow Indian allottee numbered 1661, of Sheridan, Wyoming, a patent in fee to the following-described lands situated in Big Horn County, Montana: Southeast quarter of section 17, township 8 south, range 37 east; the northwest quarter and the north half of the north half of the southwest quarter, section 21, township 8 south, range 37 east; the east half of the east half of the northwest quarter, the northeast quarter and the north half of the southeast quarter of section 20, township 7 south, range 37 east, Montana principal meridian, containing six hundred and forty acres.

Approved, May 3, 1948.

[CHAPTER 248]

May 3, 1948
[S. 608]

AN ACT

[Private Law 264]
62 Stat. 1342

Authorizing and directing the Secretary of the Interior to issue a patent in fee to Growing Four Times.

Growing Four Times.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Growing Four Times, of Frazier, Montana, a patent in fee to the following-described allotted lands situated in the State of Montana: The northeast quarter of the southeast quarter, and the southeast quarter of the southeast quarter, of section 5, township 26 north, range 45 east, Montana principal meridian: *Provided,* That when the land herein described is offered for sale, the Fort Peck Tribe or any Indian who is a member of said tribe shall have ninety days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Approved, May 3, 1948.

[CHAPTER 249]

May 3, 1948
[S. 714]

AN ACT

[Private Law 265]
62 Stat. 1342

Authorizing the Secretary of the Interior to issue a patent in fee to Claude E. Milliken.

Claude E. Milliken.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Claude E. Milliken, of Billings, Montana, a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Montana: Allotment numbered 144, the north half, the north half of the south half and the south half of the southwest quarter, of section 21, township 4 south, range 28 east, containing five hundred and sixty acres, and the north half of the northwest quarter of section 24, township 5 south, range 26 east, Montana principal meridian, containing eighty acres: *Provided,* That when the land herein described is offered for sale, the Crow Tribe or any Indian who

is a member of said tribe shall have ninety days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Approved, May 3, 1948.

[CHAPTER 460]

AN ACT

June 12, 1948
[S. 1941]

[Private Law 351]
62 Stat. 1374

To authorize and direct the Secretary of the Interior to issue to John F. Compton, formerly John Crazy Bull, a patent in fee to certain land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to John F. Compton, formerly John Crazy Bull, Rosebud Sioux allottee, a patent in fee to the southeast quarter of section 32, township 36 north, range 26 west, sixth principal meridian, South Dakota, containing one hundred and sixty acres.

John F. Compton

Approved, June 12, 1948.

[CHAPTER 585]

AN ACT

June 19, 1948
[H. R. 5147]

[Private Law 382]
62 Stat. 1387

Authorizing the Secretary of the Interior to issue a patent in fee to Florence A. W. Arens.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Florence A. W. Arens, of Billings, Montana, a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Montana: Lots 11 and 12, section 2; lot 9, section 3; the east half of the east half of section 10; the west half of the east half of the east half of the west half, the west half of the east half of the west half, the west half of the west half, section 11, range 29 east, township 2 south, Montana ⊥principal meridian, containing five hundred and fifty-seven and thirty-seven one-hundredths acres.

Florence A. W. Arens

⊥ 1388

Approved, June 19, 1948.

PUBLIC LAWS OF THE EIGHTY-FIRST CONGRESS, FIRST SESSION, 1949

[CHAPTER 22]

AN ACT

March 17, 1949
[S. 170]

[Public Law 20]
63 Stat. 14

To authorize the transfer of certain property to the Secretary of the Interior, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of the War Assets Administration is hereby authorized and directed to transfer to the Secretary of the Interior, without reimbursement or transfer of funds for use by the Bureau of Indian Affairs as a vocational school for Indian children and a center for housing and training adult Indians for off-reservation employment and placement, the property known as the Bushnell General Hospital near Brigham City, Box Elder County, Utah, comprising two hundred and ninety-eight and five-tenths acres, more or less, together with roads, buildings, and other betterments thereon.

Bushnell General Hospital, Utah

SEC. 2. The Secretary of the Interior is hereby authorized and directed to take over the property as soon as Congress has appropriated the necessary funds to provide for alterations, maintenance, and operation.

Post, p. 84.

Approved, March 17, 1949.

April 6, 1949
[S. 790]
[Public Law 37]
63 Stat. 31

[CHAPTER 48]

AN ACT

To grant the consent of the United States to the Upper Colorado River Basin Compact.

Upper Colorado River Basin Compact.
Consent of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress is hereby given to the compact, signed (after negotiations in which a representative of the United States, duly appointed by the President, participated and upon which he has reported to the Congress) by the Commissioners for the States of Arizona, Colorado, New Mexico, Utah, and Wyoming, on October 11, 1948, at Santa Fe, New Mexico, and thereafter ratified by the legislatures of each of the States aforesaid, which said compact reads as follows:

"UPPER COLORADO RIVER BASIN COMPACT

"The State of Arizona, the State of Colorado, the State of New Mexico, the State of Utah and the State of Wyoming, acting through their Commissioners,

"Charles A. Carson for the State of Arizona,

"Clifford H. Stone for the State of Colorado,

"Fred E. Wilson for the State of New Mexico,

"Edward H. Watson for the State of Utah and

"L. C. Bishop for the State of Wyoming,

after negotiations participated in by Harry W. Bashore, appointed by the President as the representative of the United States of America, have agreed, subject to the provisions of the Colorado River Compact, to determine the rights and obligations of each signatory State respecting the uses and deliveries of the water of the Upper Basin of the Colorado River, as follows:

* * *

135 ⊥"ARTICLE VII

"The consumptive use of water by the United States of America or any of its agencies, instrumentalities or wards shall be charged as a use by the State in which the use is made; provided, that such consumptive use incident to the diversion, impounding, or conveyance of water in one State for use in another shall be charged to such latter State.

* * *

140 ⊥"ARTICLE XIV

"Subject to the provisions of this Compact, the consumptive use of the waters of the San Juan River and its tributaries is hereby apportioned between the States of Colorado and New Mexico as follows:

"The State of Colorado agrees to deliver to the State of New Mexico from the San Juan River and its tributaries which rise in the State of Colorado a quantity of water which shall be sufficient, together with water originating in the San Juan Basin in the State of New Mexico,

141 ⊥to enable the State of New Mexico to make full use of the water apportioned to the State of New Mexico by Article III of this Compact, subject, however, to the following:

"(a) A first and prior right shall be recognized as to:

"(1) All uses of water made in either State at the time of the signing of this Compact; and

"(2) All uses of water contemplated by projects authorized, at the time of the signing of this Compact, under the laws of the United States of America whether or not such projects are eventually constructed by the United States of America or by some other entity.

"(b) The State of Colorado assents to diversions and storage of water

in the State of Colorado for use in the State of New Mexico, subject to compliance with Article IX of this Compact.

"(c) The uses of the waters of the San Juan River and any of its tributaries within either State which are dependent upon a common source of water and which are not covered by (a) hereof, shall in times of water shortages be reduced in such quantity that the resulting consumptive use in each State will bear the same proportionate relation to the consumptive use made in each State during times of average water supply as determined by the Commission; provided, that any preferential uses of water to which Indians are entitled under Article XIX shall be excluded in determining the amount of curtailment to be made under this paragraph.

"(d) The curtailment of water use by either State in order to make deliveries at Lee Ferry as required by Article IV of this Compact shall be independent of any and all conditions imposed by this Article and shall be made by each State, as and when required, without regard to any provision of this Article.

"(e) All consumptive use of the waters of the San Juan River and its tributaries shall be charged under the apportionment of Article III hereof to the State in which the use is made; provided, that consumptive use incident to the diversion, impounding or conveyance of water in one State for use in the other shall be charged to the latter State.

* * *

⊥"ARTICLE XIX ⊥42

"Nothing in this Compact shall be construed as:

"(a) Affecting the obligations of the United States of America to Indian tribes;

"(b) Affecting the obligations of the United States of America under the Treaty with the United Mexican States (Treaty Series 994); 59 Stat. 1219

"(c) Affecting any rights or powers of the United States of America, its agencies or instrumentalities, in or to the waters of the Upper Colorado River System, or its capacity to acquire rights in and to the use of said waters;

"(d) Subjecting any property of the United States of America, its agencies or instrumentalities, to taxation by any State or subdivision thereof, or creating any obligation on the part of the United States of America, its agencies or instrumentalities, by reason of the acquisition, construction or operation of any property or works of whatever kind, to make any payment to any State or political subdivision thereof, State agency, municipality or entity whatsoever, in reimbursement for the loss of taxes;

"(e) Subjecting any property of the United States of America, its agencies or instrumentalities, to the laws of any State to an extent other than the extent to which such laws would apply without regard to this Compact.

* * *

Approved, April 6, 1949.

[CHAPTER 90]

AN ACT

April 23, 1949
[H. R. 1755]

To authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

[Public Law 53]
63 Stat. 60

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act

Red Lake Band of Chippewa Indians, Minn.
Per capita payments.

of May 18, 1916 (39 Stat. 137), to the credit of the Red Lake Indians in Minnesota, and to pay therefrom $100 to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living at the date of enactment of this Act. Such payments shall be made as soon as practicable under such rules and regulations as the Secretary of the Interior may prescribe.

SEC. 2. No money paid to Indians under this Act, shall be subject to any lien or claim of attorneys or other persons. Before any payment is made under this Act, the Red Lake Band of Chippewa Indians of Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify and accept the provisions of this Act.

SEC. 3. Payments made under this Act shall not be held to be "other income and resources" as that term is used in sections 2 (a) (7), 402 (a) (7), and 1002 (a) (8) of the Social Security Act, as amended (U. S. C., 1946 edition, title 42, secs. 302 (a) (7), 602 (a) (7), and 1202 (a) (8)).

53 Stat. 1360, 1379, 1397.

Approved, April 23, 1949.

[CHAPTER 138]

May 24, 1949
[H. R. 2632]

[Public Law 71]
63 Stat. 76

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1949, and for other purposes, namely:

First Deficiency Appropriation Act, 1949.
Ante, p. 67; *post*, pp. 231, 738.

* * *

183 ⊥DEPARTMENT OF THE INTERIOR

* * *

184 ⊥BUREAU OF INDIAN AFFAIRS

NAVAJO AND HOPI SERVICE

Agency Services

For an additional amount for "Agency services", $1,000,000.

EDUCATION OF INDIANS

Post, p. 241.

For an additional amount for "Education of Indians", $50,000.

CONSERVATION OF HEALTH

For an additional amount for "Conservation of health", $75,000.

WELFARE OF INDIANS

For an additional amount for "Welfare of Indians", $400,000.

CONSTRUCTION, AND SO FORTH, BUILDINGS AND UTILITIES

Ante, p. 14.

For an additional amount under this head for the conversion of the Bushnell Army Hospital, Brigham City, Utah, for school purposes, $3,750,000, and the limitation under "Construction, and so forth, Buildings and Utilities" in the Department of Interior Appropriation Act, 1949, on the amount which may be used for surveys and plans and administrative expenses, and so forth, is increased from "$190,000" to "$227,500".

62 Stat. 1119.

ALASKA NATIVE SERVICE

Vessel Conversion

For expenses necessary in converting and outfitting a vessel for use

as a service and supply ship by the Alaska Native Service, $500,000, to remain available until expended.

PAYMENT TO CHOCTAW AND CHICKASAW NATIONS OF INDIANS, OKLAHOMA

For payment to the Choctaw and Chickasaw Nations of Indians in fulfillment of the terms of a contract between the United States of America and the said nations as authorized by the Act of June 28, 1944 (58 Stat. 483), and as ratified by the Act of June 24, 1948 (Public Law 754), $8,359,000, of which not to exceed $50,000 shall be available until expended for defraying the expenses, including printing and binding, of making the per capita payment authorized by the above Acts: *Provided*, That in addition to the per capita payment, the Secretary of the Interior, in his discretion, is authorized to distribute per capita to the enrolled members of the Choctaw and Chickasaw Nations, entitled under existing law to share in the funds of such ⊥tribes, or to their lawful heirs or devisees determined in the manner prescribed in section 4 of the aforesaid Act of June 24, 1948, any or all the funds held by the Government of the United States for the benefit of said tribes.

62 Stat. 596

Distribution of tribal funds held by U. S.

⊥85
62 Stat. 597.

* * *

Approved, May 24, 1949.

[CHAPTER 139]

AN ACT

May 24, 1949
[H. R. 3762]

To amend title 18, entitled, Crimes and Criminal Procedure, and title 28, entitled, Judiciary and Judicial Procedure, of the United States Code, and for other purposes.

[Public Law 72]
63 Stat. 89

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

* * *

⊥SEC. 25. Section 1151 of title 18, United States Code, is amended by striking out the word "The" at the beginning of the section, and inserting in lieu thereof the following: "Except as otherwise provided in sections 1154 and 1156 of this title, the".

⊥94
62 Stat. 757
18 U. S. C., Supp. II, § 1151

SEC. 26. Section 1153 of title 18, United States Code, is amended by striking out the second and third paragraphs thereof and inserting in lieu thereof the following:

62 Stat. 758, 759.
18 U. S. C., Supp. II, §§ 1154, 1156.
62 Stat. 758.
18 U. S. C., Supp. II, § 1153.

"As used in this section, the offense of rape shall be defined in accordance with the laws of the State in which the offense was committed, and any Indian who commits the offense of rape upon any female Indian within the Indian country, shall be imprisoned at the discretion of the court.

"As used in this section, the offense of burglary shall be defined and punished in accordance with the laws of the State in which such offense was committed.".

SEC. 27. (a) Subsection (b) of section 1154 of title 18, United States Code, is amended by striking out the words "War Department", wherever such words appear in such subsection, and inserting in lieu thereof the words "Department of the Army".

62 Stat. 758.
18 U. S. C., Supp. II, § 1154 (b).

(b) Section 1154 of such title 18 is further amended by adding at the end thereof a new subsection (c), as follows:

62 Stat. 758.
18 U. S. C., Supp. II, § 1154.
"Indian country".

"(c) The term 'Indian country' as used in this section does not include fee-patented lands in non-Indian communities or rights-of-way through Indian reservations, and this section does not apply to such lands or rights-of-way in the absence of a treaty or statute extending the Indian liquor laws thereto.".

SEC. 28. Section 1156 of title 18, United States Code, is amended by adding a paragraph at the end thereof as follows:

62 Stat. 759.
18 U. S. C., Supp. II, § 1156.

"The term 'Indian country' as used in this section does not include fee-patented lands in non-Indian communities or rights-of-way through Indian reservations, and this section does not apply to such lands or rights-of-way in the absence of a treaty or statute extending the Indian liquor laws thereto.".

62 Stat. 759.
18 U. S. C., Supp. II, § 1157

SEC. 29. The second paragraph of section 1157 of title 18, United States Code, is amended by striking out the words "Secretary of War", and inserting in lieu thereof the words "Secretary of the Army".

* * *

⊥196
⊥62 Stat. 827.
18 U. S. C., Supp. II, § 3242.

⊥SEC. 51. Section 3242 of title 18, United States Code, is amended by striking out the words "within any Indian reservation, including rights-of-way running through the reservation,", and inserting in lieu thereof the words "within the Indian country".

* * *

⊥102
62 Stat. 942
28 U. S. C., Supp. II, § 1502

⊥SEC. 88. Section 1502 of title 28, United States Code, is amended by striking out the words "or with Indian tribes".

62 Stat. 942.
28 U. S. C., Supp. II, § 1504.

SEC. 89. (a) Title 28, United States Code, is further amended by inserting in chapter 91 thereof, immediately following section 1504, a new section, to be designated as section 1505, as follows:

"§ 1505. INDIAN CLAIMS

"The Court of Claims shall have jurisdiction of any claim against the United States accruing after August 13, 1946, in favor of any tribe, band, or other identifiable group of American Indians residing within the territorial limits of the United States or Alaska whenever such claim is one arising under the Constitution, laws or treaties of the United States, or Executive orders of the President, or is one which otherwise would be cognizable in the Court of Claims if the claimant were not an Indian tribe, band or group.".

* * *

Approved, May 24, 1949.

[CHAPTER 154]

May 31, 1949
[H. R. 3396]

[Public Law 81]
63 Stat. 144

AN ACT

To amend the law relating to timber operations on the Menominee Indian Reservation in Wisconsin.

Menominee Indian Reservation, Wis.
Sale, etc., of timber.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That section 1 of the Act approved March 28, 1908 (35 Stat. 51), entitled "An Act to authorize the cutting of timber, the manufacture and sale of lumber, ⊥and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin", as amended, be, and is hereby, amended by inserting after the words "cut in any one year" the following: "except that for each of the fiscal years ending June 30, 1949, June 30, 1950, June 30, 1951, there may be cut not to exceed an additional five million feet of dead, diseased, and/or blown-down timber".

⊥145

Approved, May 31, 1949.

[CHAPTER 236]

June 23, 1949
[H. R. 4046]

[Public Law 119]
63 Stat. 231

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes.

Second Deficiency Appropriation Act, 1949.
Ante, p. 76; *post*, pp. 738, 869.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1949, and for other purposes, namely:

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥240

* * *

⊥BUREAU OF INDIAN AFFAIRS ⊥241

EDUCATION OF INDIANS

For an additional amount for "Education of Indians", $330,000. *Ante*, p. 84

SUPPRESSING FOREST AND RANGE FIRES

For an additional amount for "Suppressing forest and range fires", $50,000.

IRRIGATION

For an additional amount for "Irrigation", $16,685, of which $9,424 shall be reimbursable in accordance with existing law.

CONSTRUCTION, AND SO FORTH, BUILDINGS AND UTILITIES

For an additional amount for "Construction, and so forth, buildings and utilities", $830,000, as follows:

Flathead, Montana: For cooperation with the State of Montana in the construction, extension, and improvement of a State tuberculosis sanatorium and quarters at Galen, Deer Lodge County, Montana, in accordance with the Act of August 4, 1947 (Public Law 332), $750,000. 61 Stat. 729

Red Lake, Minnesota: School facilities, $80,000.

PAYMENT TO CONFEDERATED SALISH AND KOOTENAI TRIBES, FLATHEAD RESERVATION, MONTANA

For payment to the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, pursuant to the Act of May 25, 1948 (Public Law 554), $549,648, of which $464,570.56 shall be reimbursable in accordance with law. 62 Stat. 269

SUPPORT OF KLAMATH AGENCY, OREGON (TRIBAL FUNDS)

The limitation under this head in the Interior Department Appropriation Act, 1949, for expenses of an attorney or firm of attorneys selected by the tribe and employed under a new contract approved July 1, 1948, by the Secretary of the Interior, is increased from "$4,500" to "$10,000". 62 Stat. 1121.

SUPPORT OF MENOMINEE AGENCY AND PAY OF TRIBAL OFFICERS, WISCONSIN (TRIBAL FUNDS)

For an additional amount for "Support of Menominee agency and pay of tribal officers, Wisconsin (tribal funds)", $7,352, and the limitation under this head in the Interior Department Appropriation Act, 1949, on the amount available for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary of the Interior, is increased from "$5,500" to "$7,700". 62 Stat. 1121

EXPENSES OF TRIBAL COUNCILS OR COMMITTEES THEREOF (TRIBAL FUNDS)

For an additional amount for "Expenses of tribal councils or committees thereof (tribal funds)", $10,000.

SUPPRESSING FOREST AND RANGE FIRES (TRIBAL FUNDS)

For an additional amount for "Suppressing forest and range fires (tribal funds)", $15,000.

* * *

1252

TITLE II—INCREASED PAY COSTS

62 Stat. 1267.
5 U. S. C., Supp. II, §§ 955–958, 943, 943a.

For additional amounts for appropriations for the fiscal year 1949, to meet increased pay costs authorized by the Act of July 3, 1948 (Public Law 900), and comparable increases granted by administrative action pursuant to law, as follows:

* * *

1258

DEPARTMENT OF THE INTERIOR

* * *

Bureau of Indian Affairs:

"Salaries and expenses, general administration", $50,000;
"Salaries and expenses, district offices", $10,725;
"Salaries and expenses, reservation administration", $202,800;
"Maintaining law and order among Indians", $16,000;
"Alaska native service", $282,000;
"Purchase and transportation of Indian supplies", $6,900;
"Maintenance of buildings and utilities", $10,650;
"Education of Indians", $696,000;
"Conservation of health", $494,800;
"Management, Indian forest and range resources", $79,800;
"Agriculture and stock raising", $56,100;
"Development of Indian arts and crafts", $1,500;
"Administration of Indian tribal affairs" (from tribal funds, $20,000);
"Support of the Osage Agency" (from tribal funds, $17,200);
"Support of Indian schools" (from tribal funds, $13,202);

* * *

Approved, June 23, 1949.

[CHAPTER 354]

July 20, 1949
[H. R. 4016]

[Public Law 179]
63 Stat. 447

AN ACT

Making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1950, and for other purposes.

Departments of State, Justice, Commerce, and the Judiciary Appropriation Act, 1950.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1950, namely:

TITLE I—DEPARTMENT OF STATE

* * *

Department of State Appropriation Act, 1950.

1449

UNITED STATES PARTICIPATION IN INTERNATIONAL ORGANIZATIONS

For expenses necessary for United States participation in international organizations, including payment of the annual contributions, quotas, and assessments, and costs of permanent United States representation to such organizations, is not to exceed respective amounts as follows:

* * *

1450

Inter-American Indian Institute (56 Stat. 1303), $4,800;

* * *

In all, $99,663,558, together with such additional sums due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation:

* * *

Approved, July 30, 1949.

[CHAPTER 425]

AN ACT

August 13, 1949
[S. 1323]

[Public Law 226]
63 Stat. 604

To declare that the United States holds certain lands in trust for the Pueblo Indians and the Canoncito Navajo group in New Mexico, and for other purposes.

Pueblo and Canoncito Navajo Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title to the lands and the improvements thereon, lying and situated within the State of New Mexico, which have been acquired by the United States under authority of title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), section 55 of title I of the Act of August 24, 1935 (49 Stat. 750, 781), the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525) and subsequent emergency relief appropriation Acts administrative jurisdiction over which has heretofore been transferred by the President from the Secretary of Agriculture to the Secretary of the Interior, to be administered through the Commissioner of Indian Affairs for the benefit of the Indians, by Executive Orders Numbered 7792, 7975, 8255, 8471, 8696, and 8472 and that title to the public domain lands and improvements thereon, lying and situated within the State of New Mexico, which were withdrawn in aid of proposed legislation by the Secretary of the Interior on December 23, 1938, and May 31, 1939, and now in use by Pueblo or Canoncito Navajo Indians, excepting those portions thereof used by the United States for administrative purposes, is hereby declared to be in the United States of America in trust for the respective tribes, bands, or ⊥groups of Indians occupying and using same as a part of their respective existing reservations, subject to valid existing rights. The remainder of the aforesaid land is hereby declared to be a part of the public domain of the United States and shall be transferred by the Secretary of the Interior to the Bureau of Land Management for administration under the provisions of the Act of Congress of June 28, 1934, generally known as Taylor Grazing Act (48 Stat. 1269, as amended). The boundaries and descriptions of the areas to become Indian lands and those which are to be transferred to the Bureau of Land Management are set out in sections III and IV, respectively, of the memorandum of information which is attached to and a part of the report of the Secretary of the Interior to the Senate Committee on Interior and Insular Affairs on S. 1323, Eighty-first Congress, first session, and such boundaries and descriptions are hereby adopted as part of this Act and shall be published in the Federal Register: *Provided*, That before said boundaries and descriptions are published in the Federal Register as herein provided, the Secretary of the Interior may correct any clerical errors in section III of said memorandum of information, and shall revise the same so as to define the areas on that portion of the lands conveyed by this Act and known as Bell Rock Mesa used and occupied respectively by the Laguna Pueblo Indians and the Canoncito Navajo Indians.

40 U. S. C. §§ 401-410, Supp. II, § 401 note, 23 U. S. C. § 9b, 7 U. S. C. § 607.

7 U. S. C. § 1000 *et seq.*, Supp. II, § 1001 *et seq.*

3 F. R. 161.
3 CFR, 1943, Cum. Supp., pp. 416, 582, 683, 902, 684.

⊥605

43 U. S. C. § 315 *et seq.*, Supp. II, § 315b *et seq.*

Exchange of lands.

SEC. 2. For the purpose of consolidation of Indian lands the Secretary of the Interior is hereby authorized, under such regulations as he may prescribe, to exchange any lands or interests therein, including improvements and water rights with the consent of the Pueblo or Navajo tribal authorities for other lands, water rights, and improvements of similar value in the area set apart for the Pueblos and Canoncito Navajos or in the areas hereby declared to be public domain or within any public domain within New Mexico. Title to all lands acquired under the provisions of this Act shall be taken in the name of the United States in trust for the respective Pueblo Indians and the Navajo Canoncito group.

Title to lands.

Special deposit funds.

SEC. 3. The funds now on deposit in the United Pueblos Agency in "special deposits" which have accrued from issuance of livestock-

crossing permits and fees collected for grazing permits on the lands which have been under the jurisdiction of the Department of the Interior shall be expended or disbursed for the benefit of the Indians under such rules and regulations as the Secretary of the Interior may prescribe.

Approved, August 13, 1949.

[CHAPTER 464]

August 17, 1949
[H. R. 5034]

[Public Law 243]
63 Stat. 613

AN ACT

To authorize the taxation of Indian land holdings in the town of Lodge Grass, Montana, to assist in financing a municipal water supply and sewerage system.

Lodge Grass, Mont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all Indian land (whether restricted land or land purchased with restricted funds of Indians) within the corporate limits of the town of Lodge Grass, Montana, in the Crow Indian Reservation, hereafter acquired for individual Indians or tribes of Indians, shall be subject to taxation to assist in financing the construction and maintenance of a municipal water supply and sewerage system for such town.

Approved, August 17, 1949.

[CHAPTER 472]

August 18, 1949
[H. R. 1892]

[Public Law 245]
63 Stat. 614

AN ACT

Authorizing the Secretary of the Interior to issue to Lake County, Montana, a patent in fee to certain Indian lands.

Lake County, Mont.
Patent in fee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed, with the consent and approval of the tribal council of the Consolidated Tribes of Flathead, Kootenai, and Salish Indians, to issue to Lake County, Montana, a patent in fee to the following-described lands on the Flathead Indian Reservation, Montana: The north half of the northwest quarter of the southwest quarter of the southeast quarter of section 36, township 21 north, range 20 west, Montana principal meridian, containing five acres more or less.

Approved, August 18, 1949.

[CHAPTER 487]

August 19, 1949
[H. R. 2869]

[Public Law 255]
63 Stat. 621

AN ACT

To authorize an appropriation in aid of a system of drainage and sanitation for the city of Polson, Montana.

Polson, Mont.
Appropriation authorized for drainage system.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $100,000 or so much thereof as may be necessary for the repair and rehabilitation or replacement of the drainage structures of a system of drainage for lands within and adjacent to the city of Polson, Montana, on the Flathead Indian Reservation, in sections, 3, 4, 8, 9, and 10, township 22 north, range 20 west, Montana principal meridian: *Provided*, That the said city or the residents in the affected area form a drainage-sanitation district and levy an assessment to provide additional funds to convert the drainage lines into a dual purpose system for drainage and sewer disposal purposes and agree to take title to the system and operate and maintain it in perpetuity.

Additional funds.

Nonliability of U.S.

SEC. 2. Nothing in this Act shall be construed as an admission of

liability on the part of the United States for damages that may be claimed by any property owner as resulting from seepage in the affected area, and the drainage-sanitation district formed pursuant to section 1 hereof shall specifically agree to hold the United States harmless against any and all damage claims that may be asserted by property owners of the area.

Approved, August 19, 1949.

[CHAPTER 488]

AN ACT

August 19, 1949
[H. R. 4510]

[Public Law 256]
62 Stat. 621

To provide funds for cooperation with the school board of Klamath County, Oregon, for the construction, extension, and improvement of public-school facilities in Klamath County, Oregon, to be available to all Indian and non-Indian children without discrimination.

Klamath County, Oreg.
Appropriation authorized for public school facilities.
Post, p. 875.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, $150,000 for expenditure under the direction of the Secretary of the Interior for the purpose of cooperating with the school board of Klamath County, Oregon, in the construction, extension, and improvement of public-school facilities in Klamath ⊥County, to be available to all Indian and non-Indian children without discrimination: *Provided*, That architectural plans and specifications therefor shall be furnished by the local officials without cost to the Federal Government and subject to the approval of the Secretary of the Interior or his duly authorized representative: *And provided further*, That payment for work in place should be made monthly by the Secretary of the Interior or his duly authorized representative through the Division of Disbursement, Treasury Department, on properly certified vouchers.

1622

Plans and specifications.

Monthly payment.

SEC. 2. Any amount expended hereunder shall be recouped by the United States within a period of thirty years commencing with the date of occupancy of the building through reducing the annual Federal payments for the education of Indian pupils enrolled in public, elementary, or high schools of the county or by the acceptance of Indian pupils in said schools without cost to the United States; and in computing the amount of recoupment, interest at 3 per centum per annum shall be included on unrecouped balances.

Recoupment by U.S.

Approved, August 19, 1949.

[CHAPTER 494]

AN ACT

August 22, 1949
[H. R. 3417]

[Public Law 259]
63 Stat. 623

To amend the Act entitled "An Act to provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing ethnological researches on the American Indians", approved April 10, 1928, and for other purposes.

Smithsonian Institution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing ethnological researches on the American Indians", approved April 10, 1928, is amended by deleting in the first section therof the words "for continuing ethnological" and inserting in lieu thereof the words "to continue independently or in cooperation anthropological", and following the word "Indians" insert the words "and the natives of lands under the jurisdiction or protection of the United States:".

45 Stat. 413.
20 U. S. C. §§ 69, 70.

Approved, August 22, 1949.

August 24, 1949
[H. R. 4177]

[Public Law 266]
63 Stat. 631

[CHAPTER 506]

AN ACT

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1950, and for other purposes.

Independent Offices Appropriation Act, 1950.
Post, pp. 739, 870, 947, 975.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1950, namely:

TITLE I

* * *

⊥1645

⊥INDIAN CLAIMS COMMISSION

60 Stat. 1049.
25 U. S. C. §§ 70–70v, Supp. II, § 70w.
Ante, p. 110.

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1946 (Public Law 726), creating an Indian Claims Commission, including personal services in the District of Columbia and printing and binding, $90,000.

* * *

Approved, August 24, 1949.

August 30, 1949
[H. R. 2859]

[Public Law 275]
63 Stat. 679

[CHAPTER 521]

AN ACT

To authorize the sale of public lands in Alaska.

Alaska
Sale of public lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That public lands in Alaska not within national parks or monuments, national forests, Indian lands, and military reservations, which have been classified by the Secretary of the Interior as suitable for industrial or commercial purposes, including the construction of housing, may be sold by him at public auction, after giving not less than thirty days' notice of such intended sale in a newspaper of general circulation in Alaska, in tracts not to exceed one hundred and sixty acres in the aggregate, to any bidder who furnishes proof satisfactory to the Secretary that such bidder has the bona fide intention and the means to develop the tract for such use: *Provided*, That withdrawn or reserved lands may be disposed of under this Act only with the consent of any department or agency having administrative jurisdiction over such lands.

Sale price.

SEC. 2. No sale shall be made for less than the appraised price of the land and the cost of making any survey to properly describe the land sold.

Certificate of purchase.
Patent in fee.

SEC. 3. There shall be issued to each purchaser of land under this Act a certificate of purchase. Within three years after issuance of such certificate, upon proof supported by affidavits of two disinterested persons that the purchaser has used the land for the purpose for which it was classified for sale for a period of not less than six months, a patent in fee shall be issued. Patents under this Act shall issue only after survey, and shall contain a reservation to the United States of all minerals in the lands patented, together with the right to prospect for, mine, and remove the minerals, and such other reservations as may be necessary and proper: *Provided*, That, notwithstanding the provisions of any Act of Congress to the contrary, any person who hereafter prospects for, mines, or removes any minerals from any land disposed of under this Act shall be liable for any damage that may be caused to the value of the land and tangible improvements thereon by such prospecting for, mining, or removal of minerals. Nothing in this section shall be construed to impair any vested right in existence on the effective date of this section.

Rights reserved to U.S.

Liability.

SEC. 4. This Act shall not affect any existing valid rights. The Act of May 14, 1898 (48 U. S. C., secs. 371 and 462), as amended, creating shore space reserves, shall not apply to nor limit the operation of this Act.

30 Stat. 409, 413.

SEC. 5. The Secretary of the Interior may make such rules and regulations as may be necessary and proper to provide for the development, under applicable law, of minerals reserved to the United States, to provide appropriate notice of and method of conducting sales, to prevent speculation, to promote the orderly development of lands in Alaska, to provide protection and compensation for damages from mining activities to the surface and improvements thereon, and to carry out any of the other purposes of this Act.

Rules and regulations.

Approved, August 30, 1949.

[CHAPTER 566]

AN ACT

September 7, 1949
[H. R. 3881]

To provide for the use of the State course of study in schools operated by the Bureau of Indian Affairs on Indian reservations in South Dakota when requested by a majority vote of the parents of the students enrolled therein.

[Public Law 301
63 Stat. 694

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after July 1, 1950, the course of study taught in any school operated and maintained by the Bureau of Indian Affairs on any Indian reservation in the State of South Dakota shall, upon a majority decision of the parents of children enrolled therein voting at a meeting called for that purpose by the superintendent of the reservation, meet the minimum education requirements prescribed by the department of public instruction for the public schools of that State.

Indian schools, S. Dak.

Approved, September 7, 1949.

[CHAPTER 567]

AN ACT

September 7, 1949
[H. R. 5390]

To authorize the Secretary of the Interior to exchange certain Navajo tribal Indian land for certain Utah State land.

[Public Law 302]
63 Stat. 695

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior or his authorized representative is authorized, with the consent of the governing body of the Navajo Indian Tribe, to exchange the surface rights in Navajo tribal Indian land described as the south half southwest quarter section 24; northwest quarter, northeast quarter, southeast quarter, and north half southwest quarter section 25, township 43 south, range 15 east, S. L. B. & M., containing six hundred and forty acres, more or less, for the surface rights in land of the State of Utah described as all of section 32, township 43 south, range 16 east, S. L. B. M., all in San Juan County, Utah. Title to the Indian land exchanged shall be transferred by the Secretary of the Interior to the State of Utah by the issuance of a patent in fee. Title to the State lands to be conveyed to the Indians shall be taken in the name of the United States in trust for the Navajo and such other Indians as the Secretary of the Interior may see fit to settle thereon, and shall be satisfactory to the Secretary of the Interior.

Navajo Indians. Exchange of tribal lands.

Patent in fee.

SEC. 2. In the event the lands acquired by the State of Utah under the provisions of this Act shall be used for airport purposes, members of the Navajo Tribe of Indians shall be given preference in employment in every phase of construction, operation, and maintenance of the airport for which they are qualified, notwithstanding any provisions to the contrary contained in the Federal Airport Act of May 13, 1946 (60 Stat. 170), or any other Act of Congress.

Employment preference.

49 U. S. C. §§ 1101-1119; Supp. II, § 1101 *et seq.*

Ante, pp. 478, 480, 603, 605; *post*, pp. 903, 925.

Approved, September 7, 1949.

September 8, 1949
[H. R. 2170]

[Public Law 303]
63 Stat. 695

[CHAPTER 574]

AN ACT

Authorizing changes in the classification of Crow Indians.

Crow Indians.
Changes in classification.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all Crow Indians born to parent or parents who were or are competent members of the Crow Tribe, shall automatically become competent members of the Crow Tribe on attaining majority (except any such Indian who is declared incompetent by a court of competent jurisdiction or who is incompetent under the laws of the State within which he resides), and shall be entitled to all rights and privileges accruing to members of the tribe classified as competent, including all rights and privileges accorded to such competent members by any other Act.

Adult unenrolled Indians.

SEC. 2. The Act of March 3, 1931 (46 Stat. 1495), is hereby amended to read as follows: "The Secretary of the Interior is hereby authorized, under such rules and regulations as he may prescribe, to classify adult unenrolled Crow Indians and add their names to the competent or incompetent rolls established pursuant to the Act of June 4, 1920 (41 Stat. 751), and to reclassify those persons whose names now or hereafter appear on said rolls from incompetent to competent."

Approved, September 8, 1949.

October 5, 1949
[H. R. 5670]

[Public Law 321]
63 Stat. 705

[CHAPTER 603]

AN ACT

Authorizing transfer of land to the county of Bernalillo, State of New Mexico, for a hospital site.

Bernalillo County, N. Mex.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, if he finds it to be for the best interest of the United States and the Indians of New Mexico, to convey to the county of Bernalillo, State of New Mexico, upon payment by said county of one-half of the appraised fair market value therof, as determined by the Secretary, such portion of the land in the city of Albuquerque, county of Bernalillo, State of New Mexico, now set aside and reserved for the use of the Bureau of Indian Affairs for hospital purposes as he may find necessary or desirable to enable said premises to be used for the construction and operation of a hospital by the county of Bernalillo, State of New Mexico: *Provided,* That if the county of Bernalillo and the Commissioner of Indian Affairs shall enter into a contract or contracts whereby facilities for the treatment of Indians are to be made available at a hospital constructed upon land transferred to the county of Bernalillo under the terms of this Act, of a value equal to or in excess of one-half of the appraised fair market value of the property so transferred, the Secretary of the Interior may make such transfer without reimbursement to the Treasury of the United States.

Contracts.

Approved, October 5, 1949.

October 5, 1949
[H. R. 5310]

[Public Law 322]
63 Stat. 705

[CHAPTER 604]

AN ACT

To confer jurisdiction on the State of California over the lands and residents of the Agua Caliente Indian Reservation in said State, and for other purposes.

Agua Caliente Indian Reservation.
Jurisdiction of California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after January 1, 1950, all lands located on the Agua Caliente Indian Reservation in the State of California, and the Indian residents thereof, shall be subject to the laws, civil and criminal, of the State of California, but nothing contained in this section shall be construed to

authorize the alienation, encumbrance, or taxation of the lands of the reservation, or rights of inheritance thereof whether tribally or individually owned, so long as the title to such lands is held in trust by the United States, unless such alienation, encumbrance, or taxation is specifically authorized by the Congress.

Termination of permit.

SEC. 2. Notwithstanding any other provision of law or the allotment in severalty to Indians of the Agua Caliente Indian Reservation, and subject to the provisions of section 3 of this Act, no valid and existing permit covering lands located on the reservation, the terms of which have been fully met by the permittee, shall be terminated without the consent of the permittee prior to December 31, 1950.

Palm Springs, Calif. Easement.

SEC. 3. The city of Palm Springs in Riverside County, California, with the approval of the Secretary of the Interior, and subsequent to an appropriate resolution adopted by the business committee of the Agua Caliente Band of Mission Indians, giving approval, is hereby granted an easement not to exceed sixty feet in width for public use, [and the widening and improvement of Indian Avenue along and upon section 14, township 4 south, range 4 east, San Bernardino base and meridian, in said city, said easement generally following and adjoining the west section line, but within the confines of its middle portion, for the isolation and preservation of the Indian Hot Springs and the palm trees in said area, the center line of said easement shall follow an arc having a radius of one thousand two hundred seventy feet, the center and most easterly portion of the arc being one hundred forty feet east of the quarter section corner of said section 14. Said city also is granted an easement for similar purposes along and upon the westerly ten feet of said section 14, lying within the arc. Said improvements shall be made at the expense of said city: *Provided*, That any holder of a valid permit covering land affected by the said widening of Indian Avenue shall be entitled to just compensation from said city of Palm Springs for the detriment suffered, taking into consideration benefits deriving from such improvement.

[1706]

Compensation for detriment.

Approved, October 5, 1949.

[CHAPTER 628]

AN ACT

October 6, 1949
[H. R. 554]

To provide for the construction, extension, and improvement of school buildings in Hoopa, California.

[Public Law 331]
63 Stat. 722

Hoopa, Calif. Improvement, etc., of school buildings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of not to exceed $803,000 for the construction, extension, improvement, and equipment of school buildings in Hoopa, California: *Provided*, That plans and specifications for the construction, extension, and improvement of the said school buildings shall be furnished by the Commissioner of Indian Affairs: *And provided further*, That the said school buildings so constructed, extended, and improved shall be the property of the United States, and shall be turned over to the Hoopa Valley Unified School District under the provisions of the Act of April 16, 1934 (48 Stat. 596), as amended by the Act of June 4, 1936 (49 Stat. 1458), and shall be made available to all the Indian children of the said district on the the same terms, except as to the payment of tuition, as to other children of said school district.

25 U. S. C. §§ 452–455.

Approved, October 6, 1949.

[CHAPTER 630]

AN ACT

October 6, 1949
[H. R. 4986]

To amend an Act entitled "An Act to provide for the adjustment of irrigation charges

[Public Law 333]
63 Stat. 722

on the Flathead Indian irrigation project, Montana, and for other purposes", approved May 25, 1948.

Flathead Indian irrigation project, Mont.

62 Stat. 272.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 4 of the Act entitled "An Act to provide for the adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes", approved May 25, 1948, is hereby amended to read as follows:

Cancellation of certain unpaid charges.

"SEC. 4. Unpaid charges for operation and maintenance of the irrigation system which were assessed prior to May 10, 1926, against any lands within the project, amounting to a sum not exceeding $40,549.89, together with all unpaid interest and penalties on such charges, and unpaid charges due from consumers for electric energy sold through the power system between July 1, 1931, and June 30, 1942, amounting to a sum not exceeding $2,195.16, together with interest thereon, are hereby canceled."

Approved, October 6, 1949.

[CHAPTER 653]

AN ACT

October 10, 1949
[H. R. 2876]

[Public Law 338]
63 Stat. 726

To effect an exchange of certain lands in the State of North Carolina between the United States and the Eastern Band of Cherokee Indians, and for other purposes.

Eastern Band of Cherokee Indians. Exchange of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of acquiring suitable right-of-way property for the Blue Ridge Parkway consistent with Resolution Numbered 33 of October 17, 1947, adopted by the tribal council of the Eastern Band of Cherokee Indians, there is hereby granted to the United States, subject to the provisions of the said resolution and this Act, all the right, title, and interest of the Eastern Band of Cherokee Indians in and to the following-described lands, which shall hereafter constitute a part of the right-of-way of the Blue Ridge Parkway:

TRACT NUMBERED 2—MOLLIE GAP

Beginning at an iron rod located on the boundary line between the Qualla tract of the Cherokee Indian Reservation and the lands of the Plott heirs, said iron rod being further described as being located approximately one thousand two hundred and fifty feet northwest from transit point numbered 71, a point on the Blue Ridge Parkway boundary line, and running thence the following courses and distances, to wit:

North eighty-four degrees fifty-four and one-half minutes west two hundred thirty-four and ninety-six one-hundredths feet to an iron rod; north eighty-four degrees forty-two and one-half minutes west fifty and seventy-four one-hundredths feet to an iron rod; north eighty-three degrees fifty-two and one-half minutes west fifty-two and twenty-seven one-hundredths feet to an iron rod; north eighty-two degrees eight and one-half minutes west fifty-three and eighty one-hundredths feet to an iron rod; north seventy-nine degrees twenty-nine minutes west fifty-five and twenty-one one-hundredths feet to an iron rod; north seventy-six degrees eleven minutes west fifty-six and ten one-hundredths feet to an iron rod; north seventy-two degrees thirty-nine minutes west fifty-six and ten one-hundredths feet to an iron rod; north sixty-nine degrees ten and one-half minutes west fifty-six and ten one-hundredths feet to an iron rod; north sixty-five degrees thirty-nine minutes west fifty-six and ten one-hundredths feet to an iron rod; north sixty-two degrees ten minutes west fifty-six and ten one-hundredths feet to an iron rod;

North fifty-eight degrees forty-one minutes west fifty-six and ten

one-hundredths feet to an iron rod; north fifty-five degrees eleven minutes west fifty-six and ten one-hundredths feet to an iron rod; north fifty-one degrees forty minutes west fifty-six and ten one-hundredths feet to an iron rod; north forty-eight degrees thirty-eight minutes west forty and twenty-five one-hundredths feet to an iron rod; north forty-six degrees three minutes west fifty-five and forty-four one-hundredths feet to an iron rod; north forty-three degrees
⊥seven minutes west fifty-three and eighty-two one-hundredths feet 1727
to an iron rod; north forty-one degrees twenty-five and one-half minutes west fifty-two and twenty-nine one-hundredths feet to an iron rod; north forty degrees thirty-three minutes west fifty and seventy-six one-hundredths feet to an iron rod; north forty degrees nineteen minutes west forty-nine and twenty-seven one-hundredths feet to an iron rod; north forty degrees forty-four minutes west forty-eight and thirty-seven one-hundredths feet to an iron rod;

North forty-two degrees thirty-nine minutes west forty-five and ten one-hundredths feet to an iron rod; north forty-six degrees forty-four minutes west forty-one and eighty-three one-hundredths feet to an iron rod; north fifty-one degrees twenty-eight minutes west thirty-eight and ninety-four one-hundredths feet to an iron rod; north fifty-eight degrees fifty-seven and one-half minutes west thirty-six and ninety-one one-hundredths feet to an iron rod; north sixty-six degrees twenty-six minutes west thirty-six and ninety-one one-hundredths feet to an iron rod; north seventy-three degrees fifty-seven minutes west thirty-six and ninety-one one-hundredths feet to an iron rod; north eighty-one degrees thirty-three and one-half minutes west twenty-one and eighty one-hundredths feet to an iron rod; north eighty-six degrees twenty-five and one-half minutes west thirty-eight and forty-five one-hundredths feet to an iron rod;

South eighty-eight degrees fifty-five minutes west forty-one and eighty-three one-hundredths feet to an iron rod; south eighty-four degrees fifty and one-half minutes west forty-five and ten one-hundredths feet to an iron rod; south eighty-two degrees fifty-three and one-half minutes west forty-eight and thirty-seven one-hundredths feet to an iron rod; south eighty-two degrees thirty-six minutes west forty and four one-hundredths feet to an iron rod; south eighty-two degrees forty-eight minutes west fifty-one and nine one-hundredths feet to an iron rod; south eighty-four degrees five and one-half minutes west fifty-three and twenty-seven one-hundredths feet to an iron rod; south eighty-six degrees thirty-four minutes west fifty-five and forty-five one-hundredths feet to an iron rod;

North eighty-nine degrees fifty-three minutes west fifty-seven and fifty-nine one-hundredths feet to an iron rod; north eighty-four degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north seventy-nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north seventy-four degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north sixty-nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north sixty-four degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north fifty-nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north fifty-four degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north forty-nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north forty-four degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north thirty-nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod;

North thirty-four degrees fifty-eight minutes west fifty-eight and

seventy-three one-hundredths feet to an iron rod; north twenty-nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north twenty-four degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north nineteen degrees fifty-eight minutes west fifty-eight
†728 †and seventy-three one-hundredths feet to an iron rod; north fourteen degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north seven degrees twenty-seven and one-half minutes west fifteen and ninety-seven one-hundredths feet to an iron rod; north three degrees fourteen and one-half minutes west fifty-nine and eighty-five one-hundredths feet to an iron rod; north no degrees thirty-eight and one-half minutes east fifty-seven and nine one-hundredths feet to an iron rod; north three degrees forty-three and one-half minutes east fifty-four and twenty-five one-hundredths feet to an iron rod;

North six degrees three and one-half minutes east fifty-one and forty-two one-hundredths feet to an iron rod; north seven degrees forty-one and one-half minutes east fifty-two and sixty-two one-hundredths feet to an iron rod; north nine degrees twelve minutes east fifty-two and sixty-two one-hundredths feet to an iron rod; north ten degrees forty-two and one-half minutes east fifty-two and sixty-two one-hundredths feet to an iron rod; north twelve degrees twelve minutes east fifty-two and sixty-two one-hundredths feet to an iron rod; north thirteen degrees forty-three minutes east fifty-two and sixty-two one-hundredths feet to an iron rod; north fifteen degrees thirteen minutes east fifty-two and sixty-two one-hundredths feet to an iron rod; north sixteen degrees thirty-five minutes east forty and thirty-one one-hundredths feet to an iron rod; north seventeen degrees fifty-seven and one-half minutes east fifty-one and sixty-two one-hundredths feet to an iron rod; north twenty degrees twenty-nine and one-half minutes east fifty-four and eighty-six one-hundredths feet to an iron rod;

North twenty-four degrees one and one-half minutes east fifty-eight and ten one-hundredths feet to an iron rod; north twenty-nine degrees twenty-six and one-half minutes east sixty-one and twenty-eight one-hundredths feet to an iron rod; north thirty-four degrees fifty-eight and one-half minutes east sixty and thirty-eight one-hundredths feet to an iron rod; north forty degrees fifty-five and one-half minutes east sixty and thirty-eight one-hundredths feet to an iron rod; north forty-six degrees fifty-two and one-half minutes east sixty and thirty-eight one-hundredths feet to an iron rod; north fifty-two degrees forty-nine and one-half minutes east sixty and thirty-eight one-hundredths feet to an iron rod; north fifty-seven degrees forty-eight minutes east thirty-nine and seventy-six one-hundredths feet to an iron rod; north sixty-two degrees fourteen minutes east fifty-nine and fourteen one-hundredths feet to an iron rod; north sixty-seven degrees five minutes east fifty-six and forty-seven one-hundredths feet to an iron rod; north sixty-nine degrees twenty-nine and one-half minutes east thirty-five and twenty-five one-hundredths feet to an iron rod;

located on the boundary line between the Qualla tract of the Cherokee Indian Reservation and the Great Smoky Mountains National Park; thence with said boundary line south forty degrees nine minutes east, seventy and twenty-seven one-hundredths feet to a one-and-one-half inch iron pipe, said iron pipe being further described as a common corner between the Qualla tract of the Cherokee Indian Reservation, the Greaty Smoky Mountains National Park, and the Plott heirs; thence with the Indian Reservation and the Plott heirs boundary line south thirty-nine degrees thirty-four minutes east eight hundred twenty-eight and fifty-four one-hundredths feet to a two-inch iron pipe; thence south thirty-nine degrees forty-two and one-half minutes

east, two thousand and nine and seventy one-hundredths feet to the point of beginning, and containing forty-seven and sixty-nine one-hundredths acres, more or less, of which forty-seven and eighteen ⊥one-hundredths acres are in Haywood County and fifty-one one- 1729
hundredths acre is in Swain County.

TRACT NUMBERED 3—WOLF LAUREL GAP

Beginning at a point, a cross mark cut on a rock, on the Blue Ridge Parkway boundary line, section 2–Y, said point being further described as bearing north fifty-seven degrees one-half minute west thirty-eight and sixty-eight one-hundredths feet from transit point numbered 65 of said Parkway boundary; and running thence the following courses and distances, to wit:

North eighteen degrees twenty-two minutes east sixty and twenty-eight one-hundredths feet to an iron rod; north twenty-one degrees one minute east sixty-two and twenty-three one-hundredths feet to an iron rod; north twenty-six degrees nineteen and one-half minutes east sixty-two and twenty-three one-hundredths feet to an iron rod; north thirty-two degrees forty-five and one-half minutes east fifty-eight and twenty-nine one-hundredths feet to an iron rod; north thirty-four degrees one minute east fifty-eight and eighteen one-hundredths feet to an iron rod; north forty-two degrees fifty-eight and one-half minutes east fifty-seven and eighty-four one-hundredths feet to an iron rod; north forty-three degrees eleven and one-half minutes east fifty-seven and forty-six one-hundredths feet to an iron rod; north fifty-one degrees eighteen and one-half minutes east fifty-seven and seven one-hundredths feet to an iron rod; north fifty-one degrees thirty-two minutes east fifty-six and seventy-three one-hundredths feet to an iron rod; north fifty-eight degrees forty-nine and one-half minutes east fifty-six and thirty-eight one-hundredths feet to an iron rod; north fifty-nine degrees one and one-half minutes east fifty-six feet to an iron rod;

North sixty-five degrees twenty-nine and one-half minutes east fifty-five and sixty-one one-hundredths feet to an iron rod; north sixty-five degrees forty-two minutes east fifty-five and twenty-seven one-hundredths feet to an iron rod; north seventy-one degrees nineteen and one-half minutes east fifty-four and ninety-one one-hundredths feet to an iron rod; north seventy-one degrees thirty-two and one-half minutes east fifty-four and fifty-five one-hundredths feet to an iron rod; north seventy-six degrees twenty-five munutes east one hundred and eight feet to an iron rod; north eighty degrees thirty-five minutes east one hundred six and fifty-four one-hundredths feet to an iron rod; north eighty-three degrees fifty-five minutes east one hundred five and nine one-hundredths feet to an iron rod; north eighty-six degrees twenty-four and one-half minutes east one hundred three and sixty-five one-hundredths feet to an iron rod;

North eighty-eight degrees four and one-half minutes east one hundred and two and sixteen one-hundredths feet to an iron rod; north eighty-eight degrees fifty-two and one-half minutes east one hundred and seventy-five one-hundredths feet to an iron rod; north eighty-nine degrees one and one-half minutes east four hundred and twenty-nine one-hundredths feet to an iron rod; north eighty-eight degrees twenty-six and one-half minutes east forty-six and ninety-five one-hundredths feet to an iron rod; north eighty-five degrees three minutes east forty and eighty-three one-hundredths feet to an iron rod; north seventy-six degrees no minutes east thirty-four and seventy-two one-hundredths feet to an iron rod; north seventy-degrees nine and one-half minutes east twenty-eight and twenty-three one-hundredths feet to an iron rod; north fifty-eight degrees nine and one-half minutes east twenty and fifty-six one-hundredths feet to an iron rod;

located on the boundary line between the Qualla tract of the Cherokee Indian Reservation and the lands of the Plott heirs; thence with said
1730 ⊥boundary line south thirty-nine degrees forty-two and one-half minutes east two hundred ninety and eighty-three one-hundredths feet to a two-inch iron pipe; thence south thirty-nine degrees thirty-four minutes east six hundred ninety-five and sixty-three one-hundredths feet to a cross mark cut on a rock, said cross mark being transit point numbered 71 of the Blue Ridge Parkway, section 2–Y, boundary line; thence with said Parkway boundary:

South seventy-two degrees twenty-seven minutes west nine hundred twelve and eighty-five one-hundredths feet to an iron rod, transit point numbered 70; south seventy-three degrees twenty-seven and one-half minutes west one hundred ninety-nine and fifty-seven one-hundredths feet to an iron rod, transit point numbered 69; north seventy-two degrees seven and one-half minutes west three hundred forty-four and seventy-one one-hundredths feet to an iron rod, transit point numbered 68; north sixty-five degrees forty-three minutes west six hundred forty-seven and seventy-one one-hundredths feet to an iron rod, transit point numbered 67; south eighty-four degrees twenty-seven and one-half minutes west one hundred thirty and sixteen one-hundredths feet to an iron rod, transit point numbered 66; north eighty-one degrees five minutes west two hundred seventy-eight and two one-hundredths feet to an iron rod, transit point numbered 65; north fifty-seven degrees one-half minute west thirty-eight and sixty-eight one-hundredths feet to the point of beginning, and containing thirty-eight and forty-five one-hundredths acres, more or less, and lying entirely within Haywood County.

Grant to Eastern Band of Cherokee Indians

In exchange for the lands so granted to the United States, there is hereby granted to the Eastern Band of Cherokee Indians the beneficial interest in the following described lands of approximately equal value, which lands shall hereafter be excluded from the Blue Ridge Parkway:

TRACT NUMBERED 1—BUNCHES GAP

Beginning at an iron rod, transit point numbered 43 on the Blue Ridge Parkway boundary line, section 2–Y, said point being further described as being located approximately six hundred and fifty feet northwest from Bunches Gap and approximately one hundred and thirty feet north of the Indian Service Road; running thence the following courses and distances, to wit:

South eighty-five degrees forty-four and one-half minutes east one thousand four hundred seventy-three and seventy-three one-hundredths feet to an iron rod, transit point numbered 41; north sixty-four degrees twenty-nine minutes east eight hundred ninety four and fifty-three one-hundredths feet to an iron rod, transit point numbered 45; south seventy-one degrees twenty-six and one-half minutes east one thousand fourteen and eighty-nine one-hundredths feet to an iron rod transit point numbered 46; north three degrees thirty-two minutes east six hundred ninety-three and ninety-five one-hundredths feet to an iron rod, transit point numbered 47; north three degrees eleven and one-half minutes west nine hundred seventy-nine and eighty-two one-hundredths feet to an iron rod, transit point numbered 48;

said transit point being located on the boundary line between the Qualla tract of the Cherokee Indian Reservation and the Great Smoky Mountains National Park; thence with said boundary line south forty degrees twelve minutes east, one thousand sixty-nine and fifty-three one hundredths feet to an iron rod, transit point numbered 49, and there leaving said National Park and Indian Reservation boundary line; thence—

South two degrees sixteen and one-half minutes east five hundred and sixty-nine and twenty-three one-hundredths feet to an iron rod, transit point numbered 50; south seventeen degrees seventeen and

one-⊥half minutes west nine hundred and sixteen and seventy-eight ⊥731
one-hundredths feet to an iron rod, transit point numbered 51; south fifty-six degrees twenty-four and one-half minutes west four hundred and ninety-four and forty-six one-hundredths feet to an iron rod, transit point numbered 52; north seventy-eight degrees twenty-nine minutes west six hundred and seventy and fifty-two one-hundredths feet to an iron rod, transit point numbered 53; north fifty-nine degrees twenty-five minutes west three hundred and eight and fifty-seven one-hundredths feet to an iron rod, transit point numbered 54; south forty-eight degrees thirty-four minutes west one thousand and thirty-eight and fifteen one-hundredths feet to an iron rod, transit point numbered 55;

North forty-five degrees fifty-nine minutes west nine hundred two and seventy-nine one-hundredths feet to an iron rod; north thirty-three degrees thirty minutes west three hundred twenty-four and twenty-eight one-hundredths feet to an iron rod; north eighty-two degrees fifty-one and one-half minutes west one hundred fifty-seven and forty-nine one-hundredths feet to an iron rod; north forty-eight degrees forty-three minutes west forty-four and seventy one-hundredths feet to an iron rod; south eighty-two degrees forty-eight minutes east one hundred seventy-three and two one-hundredths feet to an iron rod; north thirty-three degrees thirty minutes west three hundred ninety-eight and ninety-six one-hundredths feet to an iron rod; north eighty-four degrees fifteen and one-half minutes west four hundred ninety and seventy-eight one-hundredths feet to the point of beginning, and containing eighty-one and eighty-five one-hundredths acres, more or less, and lying entirely within Swain County.

The lands last above described shall constitute a part of the Cherokee Indian Reservation in North Carolina and shall be held by the United States in trust for said band and shall be nontaxable and nonalienable as other lands of said reservation.

Agreement

SEC. 2. The Secretary of the Interior, for the purpose of insuring prompt and full compliance with the conditions relating to the exchange of lands hereby affected, as set forth in the said Resolution Numbered 33 of October 17, 1947, is hereby authorized and directed to enter into an agreement with the Governor of the State of North Carolina which shall contain assurance that the present Indian Service road at Wolf Laurel shall remain open for Indian use without restriction; provide for the construction by the North Carolina State Highway and Public Works Commission, at its own expense, of a hard-surface access road of suitable width from Mollie Gap to the site of the proposed tourist development to be made on tribal land in the vicinity of Soco Bald; and set forth such other terms and conditions as may be mutually desirable for effectuating the purposes of the said resolution.

Approved, October 10, 1949.

[CHAPTER 680]

AN ACT

October 12, 1949
[H. R. 3838]

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1950, and for other purposes.

[Public Law 350]
63 Stat 765

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Interior Department Appropriation Act, 1950.
Post, pp. 875, 980.

TITLE I—DEPARTMENT OF THE INTERIOR

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1950, namely:

⊥BUREAU OF LAND MANAGEMENT ⊥768

* * *

⊥Payment to States: Not to exceed 33½ per centum of all grazing ⊥770

fees received from each grazing district on Indian lands ceded to the United States for disposition under the public-lands laws, to be paid to the State in which said lands are situated, in accordance with the provisions of section 11 of the Act of June 28, 1934, as amended (43 U. S. C. 315j).

48 Stat. 1273.
43 U. S. C., Supp. II, § 315j.

* * *

BUREAU OF INDIAN AFFAIRS

Salaries and expenses, general administration: For expenses necessary for the general administration of the Bureau of Indian Affairs, including departmental personal services in the District of Columbia; rental of office equipment and the purchase of necessary supplies therefor; purchase of office furniture and equipment in addition to that which may be purchased from the appropriation for contingent expenses of the Department; printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, $850,000.

National Indian Institute: For necessary expenses of the National Indian Institute for the United States of America in the performance of its functions as prescribed by Executive Order Numbered 8930, November 1, 1941, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55 (a)); and printing and binding, $22,500.

3 CFR, Cum. Supp., p. 1020.

60 Stat. 810.
5 U. S. C. § 55a

Salaries and expenses, field administration: For necessary expenses of field administration, including pay of employees authorized by continuing or permanent treaty provisions, and printing and binding, $3,100,000.

For maintaining law and order among Indians, including pay and other expenses of judges of Indian courts, Indian police, and employees engaged in the suppression of traffic in intoxicating liquors and deleterious drugs among Indians, $164,500.

Alaska native service: For expenses necessary to provide for the support, rehabilitation, education, conservation of health, development of resources, and relief of destitution of the natives of Alaska; the repair, rental, and equipment of school, hospital, and other buildings; the purchase or erection of range cabins and other temporary structures; the hire, repair, equipment, maintenance, and operation of vessels; printing and binding; and for the administration of the Alaska native service, $5,350,000: *Provided*, That any agency of the United States Government having title thereto is authorized to transfer without charge to the Alaska native service, buildings, equipment, materials, and supplies surplus to its needs and which may be certified by the Department of the Interior as necessary for the improvement, maintenance, or operation of the Alaska native service.

Transfer of surplus supplies, etc.

Vessel conversion: For expenses necessary in converting and outfitting a vessel for use as a service and supply ship by the Alaska Native Service, $150,000, to remain available until expended.

Navajo and Hopi service: For administering and carrying out a support and rehabilitation program for the Navajo and Hopi Indians, including printing and binding; transportation of Indians; grants to Indians; and for purposes otherwise applicable to other appropriations and provisions for the Bureau of Indian Affairs as follows:

⊥771

⊥Construction and maintenance services: For the construction and maintenance of roads and trails, irrigation systems, buildings, utilities, and other construction, including drainage and preparation of raw lands for irrigation farming, surveys, and investigations, private architectural and engineering services, and water exploration, $3,037,500, to remain available until expended, of which $319,300 shall be reimbursable in accordance with law.

Agency services: For administrative, industrial, resource, agricultural, educational, health, community welfare, and employment services, including cooperation with State and other organizations en-

gaged in similar work, and payment of travel expenses and per diem of persons whose services are donated by such organizations, $6,014,975.

Maintenance of buildings and utilities: For expenses necessary to maintain buildings in the Bureau of Indian Affairs, including the lease, purchase, construction (not to exceed $1,500 for any one building), repair and improvement of buildings; the installation, repair, and improvement of utility systems, $1,000,000.

Education of Indians: For the support and education of Indian pupils in boarding and day schools and for other educational purposes, including educational facilities authorized by treaty provisions; tuition, care, and other expenses of Indian pupils attending public and private schools; support and education of deaf, dumb, blind, mentally deficient, or physically handicapped; the tuition and other assistance (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions under such regulations as the Secretary may prescribe; printing and binding (including illustrations); the support and equipment of an arts and crafts building at Anadarko, Oklahoma, and Indian museums Rapid City, South Dakota, and Browning, Montana, and on the Fort Apache Reservation, Arizona; $12,982,000: *Provided*, That payment of tuition and care of Indian pupils may be made from date of admission.

Payment of tuition, etc.

Conservation of health: For expenses necessary for the conservation of health among Indians, including transportation of patients and attendants to and from hospitals and sanitoria; returning to their former homes and interring the remains of deceased patients; medical research and surveys; cooperation with State and other organizations engaged in similar work and payment of travel expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and printing and binding, $7,917,000.

Welfare of Indians: For welfare services, including general support, relief of needy Indians, boarding home care of Indian children, institutional care of delinquent children, and payment of per diem, in lieu of subsistence, and other expenses of Indians participating in folk festivals, $900,000: *Provided*, That payment for the care of Indians may be made from the date of service.

Management, Indian forest and range resources: For the management and protection of forest, range, and wildlife resources on Indian reservations, and allotments other than the Klamath Indian Reservation, Oregon, and the Menominee Indian Reservation, Wisconsin, including the payment of reasonable rewards for information leading to the arrest and conviction of any person or persons setting forest or range fires, or taking or destroying timber, in violation of law on Indian lands; the establishment of cooperative sustained yield forest units pursuant to the Act of March 29, 1944 (16 U. S. C. 583); and the development, repair, maintenance, and operation of domestic and stock water facilities, $1,000,000: *Provided*, That the United States shall be reimbursed for expenditures made from this appropriation for expenses incident to the sale of timber to the extent prescribed in regulations promulgated by the Secretary pursuant to the Act of March 1, 1933 (25 U. S. C. 413).

58 Stat. 132

47 Stat. 1417.

⊥Suppressing forest and range fires: For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, $12,000, which amount shall be available also for meeting obligations of the preceding fiscal year: *Provided*, That appropriations herein made for the Indian Service shall be available upon the approval of the Secretary for fire-suppression or emergency-prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

⊥772

Report to Congress.

Agriculture and stock raising: For the development of agriculture and stock raising among the Indians, including agricultural experiments and demonstrations and maintenance of a supply of suitable plants or seed for issue to Indians; the expenses of Indian fairs,

including premiums for exhibits; and the control and eradication of fever ticks and contagious diseases among livestock of Indians, $860,000.

48 Stat. 986

Revolving fund for loans: For an additional amount for the revolving fund established pursuant to section 10 of the Act of June 18, 1934 (25 U. S. C. 470), to be available for loans as authorized by said section,

48 Stat. 986

as amended and supplemented, and by section 11 of said Act (25 U. S. C. 471), $3,000,000.

Acquisition of lands for Indian tribes: For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (25 U. S. C. 465), $137,500: *Provided*,

48 Stat. 985
Restrictions

That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations.

Development of Indian arts and crafts: For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (25 U. S. C., ch. 7A),

49 Stat. 891.
25 U. S. C. §§ 305–5e; Supp. II, §§ 305d, 305e.

including expenses of exhibits, printing and binding, and other necessary expenses, $37,000, of which not to exceed $13,000 shall be

Salary limitation

available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding the maximum rate of grade CAF–14 of the Classification Act of 1923, as amended.

42 Stat. 1488.
5 U. S. C. §§ 661–674, Supp. II, § 662 *et seq.*
Post, p. 972.

Irrigation: For the maintenance, operation, repair, and improvement of irrigation systems for Indian reservations and allotments; payment of operation and maintenance assessments on Indian lands and within non-Indian irrigation districts; payment of reclamation charges; purchase of water and water rights; including the purchase or rental of equipment, tools, and appliances; drainage and protection of irrigable lands from damage by floods or loss of water rights; and for all other necessary expenses, $469,800, of which $335,253 shall be reimbursable in accordance with existing law.

Construction, and so forth, irrigation systems: For the construction, rehabilitation, and improvement of irrigation systems on Indian reservations; the purchase or rental of equipment, tools, and appliances; the acquisition of rights-of-way; the development of domestic and stock water and water for subsistence gardens; the purchase of water rights, ditches, and lands needed for irrigation purposes; drainage and protection of irrigable lands from damage by floods or loss of water rights; preparation of raw reservation lands for irrigation farming, expenditures for which shall be repayable on a per-acre basis by the lands benefited; as follows:

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⊥Arizona: Colorado River, $2,550,000; Salt River, $85,000; San Carlos, $85,000;

California: California Agency, $68,000;

Colorado: Southern Ute, $8,500;

Idaho: Fort Hall, $42,500;

Montana: Blackfeet, $21,250; Flathead, $150,000; Fort Belknap, $26,563; Fort Peck, $21,250; Tongue River, $8,288;

Nevada: Western Shoshone, $21,250;

New Mexico: United Pueblos, $17,000;

Oregon: Warm Springs, $21,250;

Contract authority

Washington: Wapato, $191,250: *Provided*, That in addition to this appropriation the Commissioner of Indian Affairs is authorized to contract for materials, equipment, and services for pumping plant facilities for Satus unit numbered 3 in an amount not in excess of $300,000;

Wyoming: Wind River, $21,250;

Miscellaneous small projects, $85,000;

For surveys, investigations, and administrative expenses, including personal services in the District of Columbia, and printing and binding, $175,000: *Provided*, That the foregoing amounts for construction, and so forth, irrigation systems, shall be available in one fund, shall be reimbursable in accordance with law, and shall remain available until completion of the projects: *Provided further*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer.

Transfer of funds.

Construction, and so forth, buildings and utilities: For the construction, repair, or rehabilitation of Indian Service buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way; purchase of furniture, furnishings, and equipment; private architectural and engineering services; and water explorations; as follows:

Post, p. 875.

Arizona: Colorado River, $170,000; Papago, $36,125; Pima, $15,000; San Carlos, $212,500; Navajo, prior year appropriations for the Toadlena School development are hereby made available for use at Tohatchi and Kayenta; Truxton Canon, the prior year appropriation of $8,000 for the replacement of the Camp Verde, Arizona, Indian school is hereby made available for cooperation with the public school district of Camp Verde, Arizona, for public school facilities;

Minnesota: Red Lake School, $68,000;

Montana: Crow and Northern Cheyenne, $29,750;

Nevada: Western Shoshone, in accordance with the Act of July 11, 1947, Public Law 182, $85,000;

61 Stat. 315.

Oklahoma: Western Oklahoma, $244,500;

Oregon: Chemawa, $79,050; Umatilla, $15,000;

South Dakota: Flandreau, $10,200; Sioux Sanatorium, $12,750;

Washington: Colville, $86,000;

Wisconsin: Menominee, $48,450;

Wyoming: Wind River, $31,450;

Alaska, $2,580,125, of which $2,000,000 is for payment of obligations incurred pursuant to authority granted under this head in the Interior Department Appropriation Act, 1949; and, in addition, the Secretary is authorized to enter into contracts for this purpose in an amount not to exceed $637,500;

62 Stat. 1119.
Contract authority.

Various locations: Quarters, $192,950; major repairs and improvements, $425,000;

For surveys and plans and administrative expenses, private architect and engineering service and water explorations, including personal ⊥services in the District of Columbia and printing and binding, $237,750: *Provided*, That the foregoing amounts for construction, and so forth, buildings and utilities, shall be available in one fund and shall remain available until completion of the projects: *Provided, further*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer: *Provided further*, That unobligated balances of any specific authorizations in appropriations for prior years for school facilities in public school districts of Minnesota, appropriated in accordance with Public Law 804, Seventy-sixth Congress, or Public Law 231, Eightieth Congress, may be transferred to any other such authorizations: *Provided further*, That unobligated balances in the amount of $202,418 of specific authorizations in appropriations for prior years under the heading "Construction, and so forth, buildings and utilities" are hereby rescinded and such sum shall be carried to the surplus

1774

Transfer of funds.

Rescission of certain appropriations.

fund and covered into the Treasury immediately upon the approval of this Act.

Post, p. 875.

45 Stat. 750.

62 Stat. 1105.

23 U. S. C., Supp. II, §§ 23c, 21.

Roads: For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Act of May 26, 1928 (25 U. S. C. 318a) and the Act of June 29, 1948 (Public Law 834), $2,750,000, to remain available until expended, of which amount not to exceed $19,500 may be expended for departmental personal services.

Fulfilling treaties: For fulfilling treaties with Senecas and Six Nations of New York, Choctaws and Pawnees of Oklahoma, and payment to Indians of Sioux reservations, to be expended as provided by treaty or by law, $176,020.

Payment of interest on Indian trust funds: For payment of accrued and accruing interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, such amounts as may hereafter be necessary.

Proceeds from power: Not to exceed the amount of power revenues covered into the Treasury to the credit of each of the power projects, including revenues credited prior to August 7, 1946, shall be available for the purposes authorized by section 3 of the Act of August 7, 1946 (Public Law 647), including printing and binding, in connection with the respective projects from which such revenues are derived.

60 Stat. 895.

31 U. S. C. § 725s–3.

MISCELLANEOUS INDIAN TRIBAL FUNDS

Administration of Indian tribal affairs (tribal funds): For expenses of administering the affairs and property of Indian tribes, including pay and travel expenses, $440,000, payable from funds held by the United States in trust for the particular tribe benefited; not to exceed $65,000 for any one tribe, and the authorization from tribal funds for the payment of salaries of necessary employees and other expenses for the distribution of per capita payments authorized by the Act of July 2, 1942 (56 Stat. 528), is hereby increased from $1,500 to $4,500.

Travel expenses.

Support of Klamath Agency, Oregon (tribal funds): For general support of Indians, including cash grants and administration of Indian property under the jurisdiction of the Klamath Agency, payable from funds held by the United States in trust for the Klamath Tribe of Indians, Oregon, $304,500, of which not to exceed $10,000 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under contract approved by the Secretary.

Klamath Agency, Oreg.

Support of Menominee Agency and pay of tribal officers, Wisconsin (tribal funds): For general support of Indians and administration ⊥of Indian property under the jurisdiction of the Menominee Agency, Wisconsin, payable from funds held by the United States in trust for the Menominee Tribe of Indians, Wisconsin, $235,000, including $40,000 for relief of Indians in need of assistance, including cash grants; scholarships (not to exceed $3,000); and $7,700 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary: *Provided*, That not to exceed $10,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee Advisory Council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs: *Provided further*, That a recreational director for the Menominee Reservation may be employed with the approval of the Menominee Advisory Council.

Menominee Agency, Wis.

⊥775

Salaries, etc., of tribal officers.

Recreational director

For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of the superintendent of the agency, a curator for the Osage Museum, at a salary of $2,284, which employee

Osage Agency, Okla.

shall be an Osage Indian, appointed with the approval of the Osage Tribal Council, and of necessary employees, and pay of tribal officers; not to exceed $2,000 for the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, and printing and binding, $222,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That of the said sum herein appropriated $13,950 is hereby made available for travel and other expenses of members of the Osage Tribal Council, business committees, or other tribal organizations, when engaged on business of the tribe, including supplies and equipment, not to exceed $10 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Travel, etc., expenses

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, and for salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw, and Chickasaw Nations, at salaries of $3,000 each for the said governor, said chief, and said mining trustee, chief of the Creek Nation at $1,700 effective from July 1, 1948, and one attorney each for the Choctaw, Chickasaw and Creek Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Five Civilized Tribes, Okla.

Limitation.

Expenses of attorneys, Chickasaw Nation of Indians, Oklahoma (tribal funds): For expenses of attorneys for Chickasaw Nation of Indians, Oklahoma, employed to prosecute Chickasaw tribal claims under contracts approved by the Interior Department, $3,000, payable out of funds on deposit in the Treasury to the credit of said Chickasaw Tribe of Indians.

Chickasaw Nation, Okla.

Expenses of tribal councils or committees thereof (tribal funds): For travel and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, per diem in lieu of ⊥subsistence and use of privately owned automobiles at rates applicable to civilian employees of the Government, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $75,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in the District of Columbia, for more than an eight-day period, unless the Secretary shall in writing approve a longer period.

1776

Restriction.

Relief of needy Indians (tribal funds): For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $112,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, Revised Statutes, as amended, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

41 U. S. C. § 5.
Ante, p. 403.
18 U. S. C., Supp. II, §§ 4122–4126.
Ante, pp. 98, 99.

Compensation and expenses of attorneys (tribal funds): For compensation and expenses of attorneys employed by various tribes of Indians under contracts to be approved by the Secretary of the Interior, $86,800, payable from funds on deposit in the United States Treasury to the credit of the particular Indian tribe concerned.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of land, seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, $496,000, payable from tribal funds as follows: Nez Perce, Idaho, $50,000; Hoopa Valley, California, $5,000; Pyramid Lake, Nevada, $15,000; Choctaw, Mississippi, $40,000; Mescalero, New Mexico, $50,000; Rosebud, South Dakota, $24,000; Spokane, Washington, $37,000; Yakima, Washington, $125,000; Blackfeet, Montana, $100,000; miscellaneous tribes, $50,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the next preceding fiscal year are hereby continued available during the current fiscal year for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youth to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years under such regulations as the Secretary may prescribe: *Provided further*, That all moneys reimbursed during the current fiscal year shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary: *Provided further*, That enterprises operated under the authority contained in the foregoing proviso shall be governed by the regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under regulations ⊥established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Funds continued available.
62 Stat. 1123

Educational loans

Availability of funds

Tribal enterprises

Regulations

48 Stat. 986
Advances

⊥777

Suppressing forest and range fires (tribal funds): For the suppression, presuppression, and emergency prevention of forest and range fires on or threatening Indian reservations, $75,000, payable from funds held by the United States in trust for the respective tribes interested.

48 Stat. 986.

Support of Indian schools (tribal funds): For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf, dumb or blind, physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than $1,014,000: *Provided*, That payment may be made from the date of admission for such tuition and care of Indian pupils.

44 Stat. 560.
Tuition, etc.

Yakima Agency, Wash.

Construction, tribal community hall, Yakima Indian Agency, Washington (tribal funds): For the construction and equipment of a community hall at Yakima Indian Agency, Washington, for the Yakima Tribe of Indians, $75,000, payable out of funds on deposit in the Treasury to the credit of said tribe.

Vehicles: Applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the purcahse of not to exceed two hundred and twenty-five passenger motor vehicles, of which two hundred shall be for replacement only, and such vehicles may be used for the treansportation of Indian school pupils.

Replacement of property destroyed by fire, flood, or storm: To meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for education of Indians, maintenance of buildings, salaries and expenses, field administration, the Alaska native service, and conservation of health among Indians shall be available, upon approval of the Secretary, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Bureau of Indian Affairs above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Appropriations herein made for salaries and expenses, field administration, education of Indians, and conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Bureau of Indian Affairs.

Availability of appropriations.

Appropriations herein made for the Bureau of Indian Affairs shall be available for travel expenses and the purchase of ice for official use of employees, and services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), except that not to exceed $5,000 out of irrigation appropriations shall be available for such services at rates for individuals not in excess of $100 per diem.

Travel expenses, etc.

60 Stat. 810.

The following appropriations herein made for the Bureau of Indian Affairs shall be available for hire, maintenance, and operation of aircraft: "Management, Indian forest and range resources"; "Suppressing forest and range fires"; "Alaska native service"; "Navajo and Hopi service"; "Salaries and expenses, field administration"; and "Suppressing forest and range fires (tribal funds)".

Aircraft.

* * *

⊥GEOLOGICAL SURVEY

⊥1785

* * *

⊥Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), February 25, 1920 (30 U. S. C. 181), as amended, March 4, 1921 (48 U. S. C. 444), August 7, 1947 (30 U. S. C. 352), and other Acts relating to the mining and recovery of minerals on Indian, acquired and public lands and naval petroleum reserves, and for necessary related operations; and for every expense incident thereto, including supplies, equipment, travel, and the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $725,000, of which not to exceed $85,000 may be expended for personal services in the District of Columbia;

⊥1786

38 Stat. 742.
41 Stat. 437, 1363.
61 Stat. 914.
30 U. S. C., Supp. II, § 352.

* * *

Approved, October 12, 1949.

[CHAPTER 691]

AN ACT

To amend the Act approved September 7, 1916 (ch. 458, 39 Stat. 742), entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", as amended, by extending coverage to civilian officers of the United States and by making benefits more realistic in terms of present wage rates, and for other purposes.

October 14, 1949
[H. R. 3191]

[Public Law 357]
63 Stat. 854

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Employees' Compensation Act Amendments of 1949".

Federal Employees' Compensation Act Amendments of 1949.

TITLE I—SUBSTANTIVE AMENDMENTS

* * *

⊥860

⊥EXTENSION OF COVERAGE, AND SO FORTH

SEC. 108. (a) Section 40 of the Federal Employees' Compensation Act, as amended (5 U. S. C., 1946 edition, sec. 790), is further amended, by designating the paragraphs thereof, following the introductory phrase, as paragraphs "(a)", "(b)", "(c)", "(d)", "(e)", "(f)", "(g)", and "(h)", respectively.

39 Stat. 750

(b) Paragraph (b) of such section, as so designated, defining the term "employee", is further amended to read as follows:

"Employee"

"(b) The term 'employee' includes (1) all civil officers and employees of all branches of the Government of the United States (including officers and employees of instrumentalities of the United States wholly owned by the United States); (2) commissioned officers of the Regular Corps of the Public Health Service; (3) officers in the Reserve of the Public Health Service on active duty; (4) persons rendering personal services of a kind similar to those of civilian officers or employees of the United States to any department, independent establishment, ⊥or agency thereof (including instrumentalities of the United States wholly owned by it), without compensation or for nominal compensation, in any case in which acceptance or use of such services is authorized by an Act of Congress or in which provision is made by law for payment of the travel or other expenses of such person; and (5) persons, other than independent contractors and their employees, employed on the Menominee Indian Reservation in the State of Wisconsin, subsequent to September 7, 1916, in operations conducted pursuant to the Act entitled 'An Act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin', approved March 28, 1908, as amended, or any other Act relating to tribal timber and logging operations on the Menominee Reservation."

⊥861

35 Stat. 51

(c) Paragraph (c) of such section, as so designated, defining the term "commission", is further amended by inserting "former" after the words "to the" and by striking out the words "provided for in section 28".

Post, p. 864.

(d) Paragraph (f) of such section, as so designated, defining the term "monthly pay", is further amended by inserting, immediately before the period, the following: "except when otherwise determined under section 6 (d) with respect to any period".

Ante, p. 859.

(e) Such section is further amended by adding thereto a new paragraph "(i)" reading as follows:

"Administrator"

"(i) The term 'Administrator' means the Federal Security Administrator."

* * *

Approved, October 14, 1949.

[CHAPTER 694]

October 14, 1949
[H. R. 6008]
[Public Law 358]
63 Stat. 869

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1950, and for other purposes.

Supplemental Appropriation Act, 1950
Post, p. 973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1950, and for other purposes, namely:

* * *

⊥875

⊥DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION, BUILDINGS AND UTILITIES

Ante, p. 773

For an additional amount for "Construction, and so forth, buildings and utilities", as follows:

Klamath, Oregon: $150,000, in accordance with the Act of August 19, 1949, Public Law 256. *Ante*, p. 621

ROADS

For an additional amount for "Roads", $98,500, to remain available until expended. *Ante*, p. 774

* * *

⊥TREASURY DEPARTMENT ⊥1878

BUREAU OF INTERNAL REVENUE

Refund of taxes illegally assessed and paid by Indian wards: For the payment by the Treasury Department of the principal amount of any claim or claims for refund of income taxes filed within the two-year period permitted by and pursuant to the declared policy of Congress as contained in section 2 of the Act of Congress of January 29, 1942 (56 Stat. 21), by or on behalf of any Indian allottee of the class mentioned therein as having been required or permitted to pay any Federal income tax on the rents, royalties, or other gains arising from such allotment during the minority of the allottee, $200,000, to remain available until expended. 56 Stat. 22

* * *

Approved, October 14, 1949.

[CHAPTER 726]

AN ACT

October 25, 1949
[S. 1829]

To authorize the Secretary of the Interior to transfer to the Crow Indian Tribe of Montana the title to certain buffalo.

[Public Law 384]
63 Stat. 904

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to transfer to the Crow Indian Tribe of Montana the equitable title to all the buffalo owned by the United States on the Crow Indian Reservation, Montana, the legal title to such buffalo to be held by the United States in trust for the use and benefit of the Crow Indian Tribe. The Secretary of the Interior is further authorized, in his discretion, to grant to the said tribe the unrestricted title to any or all of such buffalo.

Crow Indian Tribe, Mont.
Title to certain buffalo.

SEC. 2. The Secretary of the Interior is further authorized, in his discretion, to grant to the tribe or tribes of any Indian reservation the unrestricted title to any buffalo now or hereafter held in trust for such tribes and deposit to the credit of such tribes either in their local treasury or in the Treasury of the United States the proceeds of sales of any buffalo previously held for the use and benefit of such tribes.

Other tribes.

Approved, October 25, 1949.

[CHAPTER 790]

JOINT RESOLUTION

October 29, 1949
[H. J. Res. 33]

To vest title to certain lands of the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota, in the United States, and to provide compensation therefor.

[Public Law 437]
63 Stat. 1026

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, if within six months from the date of its enactment the Three Affliated Tribes of the Fort Berthold Reservation accept the provisions of this Act by an affirmative vote of a majority of the adult members, the sums herein provided for shall be made available as herein specified; and all right, title and interest of said tribes, allottees and heirs of allottees in and to the lands constituting the Taking Area described in section 15 (including all elements of value above or below the surface) shall vest in the United States of America.

Fort Berthold Reservation, N. Dak.
Title to certain lands.

Post, p. 1028

SEC. 2. The fund of $5,105,625 appropriated by the War Department

Availability of fund.
61 Stat. 690.

Civil Appropriation Act, 1948 (Public Law 296, Eightieth Congress), shall not lapse into the Treasury as provided therein, but shall be available for disbursement under the direction of the Commissioner of Indian Affairs, Bureau of Indian Affairs, United States Department of the Interior (hereinafter called the "Commissioner") for the following purposes:

Purposes.

(a) Payment for tribal and allotted Indian lands and improvements, including heirship interests, and values above and below the surface, within the Taking Area;

(b) Costs of relocating and reestablishing the members of the tribes who reside within the Taking Area; and

⊥1027

⊥(c) Costs of relocating Indian cemeteries, tribal monuments, and shrines within the Taking Area.

Any unexpended balance remaining from the said fund of $5,105,625 after the completion of the purposes set forth in subsections (a), (b), and (c) shall remain in the Treasury to the credit of the tribes.

Board of appraisal

SEC. 3. There is hereby established a board of appraisal which shall consist of one member designated by the Secretary of Agriculture, one member designated by the Secretary of the Interior, and one member designated by the Chief of Engineers. It shall be the duty of the board to prepare an appraisal schedule of the tribal and individual allotted lands and improvements, including heirship interests, located within the Taking Area. In the preparation thereof, the board shall determine the fair value of the land and improvements, giving full and proper weight to the following elements of appraisal: Value of any tract of land, whether full interest or partial interest, including value of standing timber, mineral rights, and the uses to which the lands are reasonably adapted. Upon completion of the said schedule of appraisal it shall be submitted to the Chief of Engineers.

Duty.

Transmittal of schedule to tribal council.

SEC. 4. Upon receipt of such schedule of appraisal by the Chief of Engineers, he shall transmit to the tribal council the schedule of appraisal in its entirety and such portions of the said schedule to individual Indians as relate to their respective interests. The tribal council and the interested individual Indians shall have ninety days from the date of receipt of such schedule of appraisal in which to present to the Commission their objections, if any, for consideration and action thereon.

Tribal, etc., rights.

SEC. 5. The right of the tribes and of the allottees and heirs of allottees to accept or reject the appraisal covering their respective property is reserved to them. Upon the rejection of the appraisal affecting the lands or the respective interests, the Department of the Army shall institute proceedings in the United States District Court for North Dakota for the purpose of having the just compensation for such property judicially determined. Any judgment entered against the United States in such proceedings shall be charged against the said fund of $5,105,625: *Provided*, That if said sum should be inadequate to cover the purposes provided for in section 2(a), (b) and (c) hereof, and such judgments as may be obtained in such proceedings, then the amount in excess of the said fund of $5,105,625 shall be paid out of the $7,500,000 provided for in section 12 hereof.

Judicial proceedings

Ante, p. 1026

Post, p. 1028

SEC. 6. In all proceedings instituted in accordance with section 5 of this Act, individual members of the tribes may request the Commission of Indian Affairs to designate attorneys of the Bureau of Indian Affairs to represent them.

Credit to individual accounts.

SEC. 7. The amount determined to be due the individual allottees and other individual Indians shall be deposited to the credit of such individual Indians in their individual Indian money accounts.

Disposition of improvements.

SEC. 8. The tribes and the members thereof may salvage, remove, reuse, sell, or otherwise dispose of all or any part of their improvements within the Taking Area without any deduction therefor in the appraisal schedule to be prepared by the Commissioner, subject to the condition that the district engineer, Garrison district, may not enter

Conditions.

for the purpose of clearing the said improvements until at least October 1, 1952, and subject further to the condition that the district engineer shall serve notice of such purpose at least three months prior thereto.

Removal of timber, sand, and gravel

SEC. 9. The tribes and the members thereof shall have the privilege of cutting timber and all forest products and removing sand and gravel, and may use, sell, or otherwise dispose of the same until at least October 1, 1950, without any deduction therefor in the appraisal ⊥schedule to be prepared by the Commissioner, subject to the condition that the said date may be adjusted to the later date by the Chief of Engineers on the request of the Commissioner, and subject to the further conditions that the district engineer, Garrison district, shall serve notice of clearing at least three months prior thereto.

⊥ 1028
Conditions.

Removal, etc., of lignite

SEC. 10. The tribes and the members thereof may remove, sell, or otherwise dispose of lignite until such date as the district engineer, Garrison district, fixes for the impoundment of waters.

Notice of impoundment of waters.

SEC. 11. The district engineer, Garrison district, will give notice at least six months in advance of the date on or after which impoundment of waters may begin, and no damage for loss of life or property due to impoundment of waters on or after the date specified in said notice may be claimed. The date established by such notification will not be earlier than October 1, 1952.

Crediting of additional funds.
61 Stat. 690

SEC. 12. In addition to the $5,105,625 appropriated by the War Department Civil Appropriation Act, 1948 (Public Law 296, Eightieth Congress), the further sum of $7,500,000 less any part thereof that may be required to cover balance due said tribes or allottees or heirs as provided for in section 5 hereof shall, upon acceptance of the provisions of this Act by the tribes, be placed to the credit of the tribes in the Treasury of the United States, which sums notwithstanding anything contained in this Act to the contrary shall be in full satisfaction of: (1) all claims, rights, demands and judgments of said tribes or allottees or heirs thereof arising out of this Act and not compensated for out of the said $5,105,625; (2) and of all other rights, claims, demands and judgments of said tribes, individuals allottees or heirs thereof, of any nature whatsoever existing on the date of enactment of this Act, whether of tangible or intangible nature and whether or not cognizable in law or equity in connection with the taking of said land and the construction of said Garrison Dam project.

Ante, p. 1027.

Interest.
61 Stat. 690.

SEC. 13. The fund of $5,105,625, appropriated by the War Department Civil Appropriation Act, 1948 (Public Law 296, Eightieth Congress), and the fund provided for by section 12 of this Act shall bear interest at 4 per centum per annum from the date of acceptance of this Act until disbursed. No part of either of such funds shall be used for payment of the fees or expenses of any agent, attorney, or other representative of any individual Inidan or tribe.

Restriction.

Electric power rights.

49 Stat. 1363.
7 U. S. C. §§ 901–914; Supp. II, § 903 *et seq.*
Ante, p. 948.

SEC. 14. When electric power is available from Garrison Dam project, the said Three Affiliated Tribes and the members thereof shall have equal rights and privileges on an equal basis which are accorded the persons, cooperative associations and others by the Rural Electrification Act of 1936 and all Acts amendatory thereof or supplemental thereto as fully as if said tribes and members thereof were named in said Rural Electrification Act of 1936.

SEC. 15. The Taking Area is described as follows:

PART A—WITHIN RESERVATION BOUNDARIES

Beginning at the Northwest corner of Section 6, Township 150 North, Range 93 West of the 5th P. M.; thence East to the West sixteenth line; thence South to the East and West quarter line; thence East to center of said Section; thence South to South quarter corner; thence East to the West line of the East half of the Southwest quarter of the Southeast quarter ($E^1/_2SW^1/_4SE^1/_4$); thence North to South sixteenth line; thence East to East Section line; thence South to

Southeast corner of said Section 6; thence West to West line of the East half of the East half of the Northeast quarter ($E^1/_2E^1/_2NE^1/_4$) of Section 7; thence South to East and West quarter line; thence East to the East line of the West half of the Northwest quarter of the Southwest quarter of Section 8; thence South to South sixteenth line;
⊥1029 thence East to the ⊥North and South quarter line; thence North to center of said Section; thence East to East Section line; thence South to South sixteenth line; thence West to the East sixteenth line; thence South to North sixteenth line of Section 17; thence East to the West sixteenth line of Section 16; thence North to North Section line; thence East to North quarter corner; thence South to center of said Section; thence East to East sixteenth line of Section 15; thence South to South sixteenth line; thence West to North and South quarter line; thence South to North line of the South half of the Southeast quarter of the Southwest quarter ($S^1/_2SE^1/_4SW^1/_4$); thence West to West sixteenth line; thence South to the South Section line; thence West to the Southwest corner of Section 15; thence South to North sixteenth line of Section 22; thence East to North and South quarter line; thence North to the North line of the South half of the Northwest quarter of the Northeast quarter ($S^1/_2NW^1/_4NE^1/_4$), thence East to East sixteenth line; thence North to the North line of Section 22; thence East to West line of the East half of the Southeast quarter of the Southeast quarter ($E^1/_2SE^1/_4SE^1/_4$) of Section 15; thence North to the South sixteenth line; thence East to West sixteenth line of Section 14; thence South to the South Section line; thence West to the Southwest corner of said Section 14; thence South to the North sixteenth line of Section 23; thence East to the West sixteenth line; thence South to the South sixteenth line; thence East to the East sixteenth line; thence North to the North sixteenth line; thence East to the East Section line; thence North to the Northeast corner of Section 23; thence East to the East line of the West half of the East half of the Northwest quarter of Section 24; thence South to East and West quarter line; thence West to the East line of the West half of the West half of the Southwest quarter; thence South to South Section line; thence East to East sixteenth line; thence North to East and West quarter line; thence East to the East quarter corner of Section 24, Township 150 North, Range 93 West of the 5th P. M.; thence East to West sixteenth line of Section 19, Township 150 North, Range 92 West of the 5th P. M.; thence South to North sixteenth line of Section 30; thence East to East line of Section 30; thence South to the North line of the South half of the Southwest quarter of the Northwest quarter ($S^1/_2SW^1/_4NW^1/_4$) of Section 29; thence East to the West sixteenth line; thence North to the South line of the North half of the Northwest quarter of the Northwest quarter ($N^1/_2NW^1/_4NW^1/_4$); thence West to the West Section line; thence North to South sixteenth line of Section 20; thence East to the West sixteenth line; thence South to South Section line; thence East to the East sixteenth line; thence North to the East and West quarter line; thence East to the East quarter corner of Section 20; thence South to the West quarter corner of Section 28; thence East to center of said Section; thence South to South sixteenth line; thence East to the East Section line; thence South to the Southeast corner of Section 28; thence East to the East sixteenth line of Section 34; thence South to the North sixteenth line; thence East to West sixteenth line of Section 35; thence North to the North Section line; thence East to the North quarter of Section 35; thence North to the center of Section 26; thence East to the East sixteenth line; thence North to South sixteenth line of Section 23; thence West to the North and South quarter line; thence North to the North sixteenth line; thence West to the West line of the East half of the Northwest quarter of the Northwest quarter ($E^1/_2NW^1/_4NW^1/_4$); thence North to South sixteenth line of Section 14; thence East to the North and South quarter line;

thence South to South Section line; thence East to West sixteenth line of Section 13; thence North to South sixteenth line; thence East to North and South quarter line; thence South to South quarter corner; thence East to the East ⊥sixteenth line; thence North ⊥1030 to South sixteenth line; thence East to East line of Section 13, Township 150 North, Range 92 West of the 5th P. M.; thence North to the West quarter corner of Section 18, Township 150 North, Range 91 West; thence East to the West sixteenth line; thence North to North sixteenth line; thence East to East sixteenth line; thence North to the North Section line; thence West to the North quarter corner of Section 18; thence North to South sixteenth line of Section 7; thence East to the East Section line; thence North to the Northeast corner of Section 7; thence West to South quarter corner of Section 6; thence North to center of Section 6; thence West to West sixteenth line; thence North to North line of Section 6; thence East along Township line between Townships 150 & 151 North to the Northwest corner of Section 1; thence South to West quarter center; thence East to West sixteenth line; thence South to South sixteenth line; thence East to North and South quarter line; thence South to South Section line; thence East to Southeast corner of Section 1, Township 150 North, Range 91 West of 5th P. M.; thence South to the North line of the South half of Lot 2 of Section 7, Township 150 North, Range 90 West of the 5th P. M.; thence East to the West line of the East 20 acres of Lot 2; thence South to the East and West quarter line; thence West to the West quarter corner; thence South to the Southwest corner of Section 7; thence East to the West line of the East 20 acres of Lot 1 of Section 18; thence South to South line of said Section 18; thence East to the West sixteenth line of Section 19; thence South to North sixteenth line; thence West to West Section line; thence South to Southwest corner; thence East to the South quarter corner; thence North to center of Section; thence East to East quarter corner; thence South to North sixteenth line of Section 29; thence East to North and South quarter line; thence South to center of Section; thence West to West quarter corner of Section 29; thence South to South sixteenth line of Section 30; thence West to West sixteenth line; thence South to the South line of Section 31, Township 150 North, Range 90 West of the 5th P. M.; thence South along the West sixteenth line of Section 6, Township 149 North, Range 90 West of the 5th P. M. to the South line of said Section 6; thence East to North quarter corner of Section 7; thence South to South sixteenth line; thence East to the West sixteenth line of Section 8; thence North to East and West quarter line; thence West to West line of the East half of the Southwest quarter of the Northwest quarter ($E^1/_2SW^1/_4NW^1/_4$); thence North to the North line of the Southeast quarter of the Northwest quarter of the Northwest quarter ($SE^1/_4NW^1/_4NW^1/_4$); thence East to the east line of the Southwest quarter of the Northeast quarter of the Northwest quarter ($SW^1/_4NE^1/_4NW^1/_4$); thence South to North sixteenth line; thence East to the West line of the East half of the Northwest quarter of the Northeast quarter ($E^1/_2NW^1/_4NE^1/_4$); thence North to the North Section line; thence East to the Northeast corner of Section 8; thence North to South sixteenth line of Section 4; thence East to West sixteenth line; thence North to East and West quarter line; thence East to center of Section; thence South to South sixteenth line; thence East to East sixteenth line; thence South to North sixteenth line of Section 9; thence East to East line of Section 9; thence South to South sixteenth line of Section 10; thence East to West sixteenth line; thence North to North Section line; thence East to East sixteenth line; thence South to East and West quarter line; thence East to East quarter corner of Section 10; thence South to South sixteenth line of Section 11; thence East to West sixteenth line of Section 11; thence

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South to South Section line; thence East to East sixteenth line; thence North to East and West quarter line; thence ⊥East to East quarter corner of Section 11; thence South to South sixteenth line of Section 12; thence East to East Section line; thence South to North sixteenth line of Section 13; thence West to the East line of the West half of the Southeast quarter of the Northeast quarter ($W^1/_2SE^1/_4NE^1/_4$); thence South to the East and West quarter line; thence West to the East sixteenth line; thence South to South line of Section 13; thence East to the East line of the West half of the Northeast quarter of the Northeast quarter ($W^1/_2NE^1/_4NE^1/_4$) of Section 24; thence South to the North sixteenth line; thence West to the West sixteenth line; thence North to the North Section line; thence West to the Northwest corner of Section 24; thence South to the North sixteenth line of Section 23; thence West to North and South quarter line; thence North to the North line of the South half of the North half of the Northwest quarter ($S^1/_2N^1/_2NW^1/_4$); thence West to the North and South quarter line of Section 22; thence South to center of Section; thence West to the East line of the West half of the Southeast quarter of the Northwest quarter ($W^1/_2SE^1/_4NW^1/_4$); thence North to North sixteenth line; thence West to East sixteenth line of Section 21; thence South to East and West quarter line; thence West to the East line of the West half of the West half of the Southeast quarter ($W^1/_2W^1/_2SE^1/_4$); thence South to South Section line; thence East to Southeast corner of Section 21; thence South to North sixteenth line of Section 27; thence East to West sixteenth line; thence South to East and West quarter line; thence East to center of Section; thence South to South sixteenth line; thence West to North and South quarter line of Section 28; thence North to center of Section; thence West to West sixteenth line; thence South to South sixteenth line; thence West to West Section line; thence South to West quarter corner of Section 33; thence East to West sixteenth line; thence South to South line of Section 33, Township 149 North, Range 90 West of the 5th P. M.; thence East along North line of Section 1, Township 148 North, Range 91 West of the 5th P. M. to the Northeast corner; thence South to South sixteenth line; thence West to East sixteenth line; thence South to East and West quarter line of Section 12; thence West to center of Section; thence South to South Section line; thence West to East sixteenth line of Section 14; thence South to East and West quarter line; thence West to East line of the West half of the Northwest quarter of the Southeast quarter ($W^1/_2NW^1/_4SE^1/_4$); thence South to South sixteenth line; thence West to North and South quarter line; thence South to South quarter corner; thence East to Southeast corner of Section 14; thence South to North sixteenth line of Section 24; thence East to West sixteenth line; thence South to East and West quarter line; thence East to East sixteenth line; thence North to North Section line; thence East to Northeast corner of Section 24, Township 148 North, Range 91 West of the 5th P. M.; thence South to West quarter corner of Section 19, Township 148 North, Range 90 West of the 5th P. M.; thence East to center of Section; thence South to South sixteenth line; thence East to East line of Section 19; thence North to North sixteenth line of Section 20; thence East to North and South quarter line; thence South to South sixteenth line; thence East to East sixteenth line; thence South to South Section line; thence East to the East line of the West half of the Northwest quarter of the Northwest quarter ($W^1/_2NW^1/_4NW^1/_4$) of Section 28; thence South to North sixteenth line; thence East to the North and South quarter line; thence North to the South sixteenth line of Section 21; thence East to West line of the East half of the Northwest quarter of the Southeast quarter ($E^1/_2NW^1/_4SE^1/_4$); thence North to North sixteenth line; thence East to the East sixteenth line; thence South to East and West quarter line; thence East to the East quarter corner; thence South

⊥to the North sixteenth line of Section 27; thence East to the West ⊥1032
sixteenth line; thence South to East and West quarter line; thence East to East quarter corner; thence North to North sixteenth line; thence West to East sixteenth line; thence North to North section line; thence East to West sixteenth line of Section 26; thence South to East and West quarter line; thence East to East line of the West half of the East half of the Southwest quarter ($W^1/_2E^1/_2SW^1/_4$); thence South to South Section line; thence East to Southeast corner of Section 26; thence North to the West quarter corner of Section 25; thence East to West sixteenth line; thence South to South sixteenth line; thence East to East sixteenth line; thence South to South Section line; thence East to Southeast corner of Section 25, Township 148 North, Range 90 West of the 5th P. M.; thence North to South sixteenth line of Section 30, Township 148 North, Range 89 West of the 5th P. M.; thence East to West sixteenth line; thence South to North sixteenth line of Section 31; thence West to West Section line; thence South to Southwest corner; thence East to West sixteenth line; thence North to East and West quarter line; thence East to East sixteenth line; thence North to North sixteenth line; thence East to the East line of Section 31; thence South to South sixteenth line of Section 32; thence East to North and South quarter line; thence South to South quarter corner; thence East to East sixteenth line; thence North to South sixteenth line; thence East to East Section line; thence South to Southeast corner of Section 32, Township 148 North, Range 89 West of the 5th P. M.; thence West to the West line of the East half of Lot 1 of Section 5, Township 147 North, Range 89 West of the 5th P. M.; thence South to East and West quarter line; thence East to West sixteenth line of Section 4; thence North to North sixteenth line; thence East to East line of Section 4; thence South to South sixteenth line of Section 3; thence East to West sixteenth line; thence South to South line of Section 3; thence East to the East line of the West half of the Northwest quarter of the Northeast quarter of Section 10; thence South to North sixteenth line; thence East to the East sixteenth line; thence South to the East and West quarter line; thence East to East quarter corner of Section 10; thence South to South sixteenth line of Section 11; thence East to North and South quarter line of Section 12; thence North to North sixteenth line; thence West to West Section line; thence North to Northwest corner of Section 12; thence East to West sixteenth line of Section 1; thence North to South sixteenth line; thence West to West section line; thence North to North line of the South half of the Southwest quarter of the Northwest quarter ($S^1/_2SW^1/_4NW^1/_4$); thence East to West sixteenth line; thence South to East and West quarter line; thence East to center of Section; thence South to South quarter corner; thence East to Southeast corner of Section 1, Township 147 North, Range 89 West of the 5th P. M.; thence South to the North line of the South half of Lot 1 of Section 7, Township 147 North, Range 88 West of the 5th P. M.; thence East to the West sixteenth line; thence North to the North line of Section 7; thence East to the South quarter corner of Section 6; thence North to the North line of the South half of the Southwest quarter of the Southeast quarter ($S^1/_2SW^1/_4SE^1/_4$); thence East to the East sixteenth line; thence South to the South line of the North half of the Northwest quarter of the Northeast quarter ($N^1/_2NW^1/_4NE^1/_4$) of Section 7; thence West to North and South quarter line; thence South to the North line of the South half of the North half of the Southeast quarter ($S^1/_2N^1/_2SE^1/_4$); thence East to the East Section line; thence North to the East quarter corner of Section 7; thence East to the West line of the east half of the Southwest quarter of the Northwest quarter ($E^1/_2SW^1/_4NW^1/_4$) of Section 8; thence North to the North sixteenth ⊥line; thence East to the North and South quarter line; thence North ⊥1033
to the North quarter corner; thence East to the Northeast corner;

thence South to the South line of the North half of the Northeast quarter of the Northeast quarter ($N^1/_2NE^1/_4NE^1/_4$); thence West to East sixteenth line; thence South to the South line of the North half of the Southwest quarter of the Northeast quarter ($N^1/_2SW^1/_4NE^1/_4$); thence West to North and South quarter line; thence South to center of Section; thence West to the East line of the West half of the East half of the Southwest quarter ($W^1/_2E^1/_2SW^1/_4$); thence South to the South line of Section 8; thence West to West sixteenth line of Section 17; thence South to the North line of the South half of the Northeast quarter of the Northwest quarter ($S^1/_2NE^1/_4NW^1/_4$); thence East to East sixteenth line; thence North to North line of Section 17; thence East to West line of the East half of the Southeast quarter of the Southeast quarter ($E^1/_2SE^1/_4SE^1/_4$) of Section 8; thence North to South sixteenth line; thence East to East line of Section 8; thence South to North line of the South half of the South half of the Southwest quarter ($S^1/_2S^1/_2SW^1/_4$) of Section 9; thence East to North and South quarter line; thence South to South quarter corner of Section 9; thence West to West sixteenth line of Section 16; thence South to North line of the South half of the Northwest quarter of the Northwest quarter ($S^1/_2NW^1/_4NW^1/_4$); thence West to West Section line; thence South to North line of the South half of the Southwest quarter of the Northwest quarter ($S^1/_2SW^1/_4NW^1/_4$); thence East to West sixteenth line; thence South to East and West quarter line; thence East to center of Section; thence South to South sixteenth line; thence West to West sixteenth line; thence South to South Section line; thence East to Southeast corner of Section 16; thence North to South sixteenth line of Section 15; thence East to East sixteenth line; thence North to North Section line; thence East to Northeast corner of Section 15; thence South to North sixteenth line of Section 14; thence East to North and South quarter line; thence South to center of Section; thence East to East quarter corner of Section 14; thence North to North line of the South half of the North half of the Northwest quarter ($S^1/_2N^1/_2NW^1/_4$) of Section 13; thence East to North and South quarter line; thence South to North sixteenth line; thence East to East sixteenth line; thence North to North line of the South half of the Northeast quarter of the Northeast quarter ($S^1/_2NE^1/_4NE^1/_4$); thence East to East line of Section 13, Township 147 North, Range 88 West of the 5th P. M.; thence North to West quarter corner of Section 7, Township 147 North, Range 87 West of the 5th P. M.; thence East to center of Section; thence North to North quarter corner; thence East to East sixteenth line; thence South to East and West quarter line; thence East to East quarter corner of Section 7; thence North to North line of the South half of the Southwest quarter of the Northwest quarter of Section 8; thence East to West sixteenth line; thence North to North sixteenth line; thence East to West line of the East half of the Northeast quarter of the Northwest quarter ($E^1/_2NE^1/_4NW^1/_4$); thence North to North Section line; thence East to East line of the West half of the Northwest quarter of the Northeast quarter ($W^1/_2NW^1/_4NE^1/_4$); thence South to North sixteenth line; thence West to North and South quarter line; thence South to center of Section; thence West to East line of the West half of the East half of the Southwest quarter ($W^1/_2E^1/_2SW^1/_4$); thence South to South Section line; thence East to East sixteenth line; thence North to North line of the South half of the Southeast quarter of the Northeast quarter ($S^1/_2SE^1/_4NE^1/_4$); thence East to East Section line; thence South to Southeast corner of Section 8; thence East to South quarter corner of Section 9; thence North to North line of the South half of the North half of the Southeast quarter ($S^1/_2N^1/_2SE^1/_4$); thence East ⊥to the East line of Section 9; thence South to South sixteenth line of Section 10; thence East to the East line of the Northwest quarter of the Southeast quarter of the Southwest quarter ($NW^1/_4SE^1/_4SW^1/_4$); thence

⊥1034

South to the North line of the Southeast quarter of the Southeast quarter of the Southwest quarter ($SE^{1}/_{4}SE^{1}/_{4}SW^{1}/_{4}$); thence East to East sixteenth line; thence North to South sixteenth line; thence East to the East line of the West half of the Southwest quarter of the Southwest quarter ($W^{1}/_{2}SW^{1}/_{4}SW^{1}/_{4}$) of Section 11; thence South to the South line of the Northwest quarter of the Northwest quarter of the Northwest quarter ($NW^{1}/_{4}NW^{1}/_{4}NW^{1}/_{4}$ of section 14; thence West to the East line of the Southwest quarter of the Northeast quarter of the Northeast quarter ($SW^{1}/_{4}NE^{1}/_{4}NE^{1}/_{4}$) of Section 15; thence South to the East and West quarter line; thence East to East quarter corner of Section 15; thence South to the North line of the South half of the North half of the Southwest quarter ($S^{1}/_{2}N^{1}/_{2}SW^{1}/_{4}$) of Section 14; thence East to North and South quarter line; thence South to the North line of the South half of the South half of the Southeast quarter ($S^{1}/_{2}S^{1}/_{2}SE^{1}/_{4}$); thence East to the East line of Section 14; thence North to the South sixteenth line of Section 13; thence East to the West line of the East half of the Northwest quarter of the Southwest quarter ($E^{1}/_{2}NW^{1}/_{4}SW^{1}/_{4}$); thence North to East and West quarter line; thence East to an intersection with the East boundary of the Fort Berthold Indian Reservation, as surveyed, at a point 2,321 feet West of the East quarter corner of Section 13, Township 147 North, Range 87 West of the 5th P. M.; thence South 25° West along said Reservation Boundary Line, as surveyed, to the low water line of the right bank of the Missouri River; thence upstream along said low water line of the right bank of the Missouri River to a point 1,663 feet North and 1,305 feet West of the East quarter corner of Section 1, Township 146 North, Range 88 West of the 5th P. M., said point being on the East boundary of the Ft. Berthold Indian Reservation, as surveyed; thence South 53° 09′ West along said Reservation Boundary, as surveyed, to the East line of Section 16; thence North to the South sixteenth line of Section 10; thence East to West sixteenth line; thence North to East and West quarter line; thence West to West quarter corner of Section 10; thence North to North sixteenth line of Section 9; thence West to North and South quarter line; thence South to center of Section; thence West to West quarter corner; thence North to Northeast corner of Section 8; thence West to East sixteenth line of Section 8; thence South to South line of Section; thence East to Southeast corner of Section 8; thence South to North sixteenth line of Section 16; thence East to West sixteenth line; thence South to East and West quarter line; thence East to center of Section; thence South on North and South quarter line to the Ft. Berthold Indian Reservation Boundary Line; thence South 53° 09′ West along said Boundary line to the Southeast corner of Section 17; thence West to the East sixteenth line of Section 18; thence North to the North line of Section 18; thence West to the West sixteenth line of Section 7; thence North to South sixteenth line; thence East to North and South quarter line; thence North to center of Section; thence West to West sixteenth line; thence North to North sixteenth line; thence West to the West line of Section 7, Township 146 North, Range 88 West of the 5th P. M.; thence West on North sixteenth line of Section 12, Township 146 North, Range 89 West of the 5th P. M. to the North and South quarter line; thence South to South sixteenth line; thence East to West line of the East half of the Southwest quarter of the Southeast quarter ($E^{1}/_{2}SW^{1}/_{4}SE^{1}/_{4}$); thence South to South Section line; thence West to East line of the West half of the Southeast quarter of the Southwest quarter ($W^{1}/_{2}SE^{1}/_{4}SW^{1}/_{4}$); thence North to South sixteenth ⊥line; thence West to West sixteenth ⊥1035
line; thence North to East and West quarter line; thence West to center of Section 11; thence South to North line of the South half of the North half of the Southwest quarter ($S^{1}/_{2}N^{1}/_{2}SW^{1}/_{4}$); thence West to West Section line; thence North to West quarter corner of Section 11; thence West to East sixteenth line of Section 10; thence North to

North sixteenth line; thence East to East Section line; thence North to Northeast corner of Section 10; thence East to South quarter corner of Section 2; thence North to center of Section; thence West to West sixteenth line; thence North to North sixteenth line; thence East to East section line; thence North to Northeast corner of Section 2; thence East to West sixteenth line of Section 1; thence South to North sixteenth line; thence East to North and South quarter line; thence South to the South line of the North half of the South half of the Northeast quarter ($N^1/_2S^1/_2NE^1/_4$); thence East to East line of Section 1, Township 146 North, Range 89 West of the 5th P. M.; thence North to the South sixteenth line of Section 36, Township 147 North, Range 89 West of the 5th P. M.; thence West to East sixteenth line; thence North to East and West quarter line; thence West to West quarter corner of Section 36; thence North to North sixteenth line of Section 35; thence West to West sixteenth line; thence North to North Section line; thence West to Southeast corner of Section 28; thence North to East quarter corner; thence West to the West line of the East half of the Northwest quarter of the Southeast quarter ($E^1/_2NW^1/_4SE^1/_4$); thence South to South sixteenth line; thence West to East line of the West half of the Northeast quarter of the Southwest quarter ($W^1/_2NE^1/_4SW^1/_4$); thence North to East and West quarter line; thence West to West quarter corner of Section 28; thence North to North sixteenth line of Section 29; thence West to East sixteenth line; thence South to East and West quarter line; thence West to center of Section; thence North to North sixteenth line; thence West to West sixteenth line; thence North to North line of Section 29; thence East to South quarter corner of Section 20; thence North to center of Section; thence West to West sixteenth line; thence South to South sixteenth line; thence West to the West line of the East half of the Northwest quarter of the Southeast quarter ($E^1/_2NW^1/_4SE^1/_4$) of Section 19; thence North to East and West quarter line; thence West to center of Section; thence South to South sixteenth line; thence West to the East line of the West half of the Southeast quarter of the Southwest quarter ($W^1/_2SE^1/_4SW^1/_4$); thence South to South Section line; thence West to the Southwest corner of Section 19, Township 147 North; Range 89 West of the 5th P. M.; thence West to North quarter corner of Section 25, Township 147 North, Range 90 West of the 5th P. M.; thence South to North Sixteenth line; thence East to East Section line; thence South to East quarter corner; thence West to the East line of the West half of the East half of the Southwest quarter ($W^1/_2E^1/_2SW^1/_4$); thence South to South Section line; thence West to South quarter corner of Section 26; thence North to South sixteenth line; thence West to the West Section line; thence South to Southwest corner of Section 26; thence West to South quarter corner of Section 27; thence North to center of Section; thence East to East quarter corner of Section 27; thence North to North sixteenth line of Section 26; thence East to North and South quarter line; thence North to center of Section 23; thence West to West sixteenth line; thence North to North sixteenth line; thence East to East sixteenth line; thence North to North line of Section 23; thence East to Southeast corner of Section 14; thence North to East quarter corner; thence West to East sixteenth line; thence North to North sixteenth line; thence West to North and South quarter line; thence South to center of Section; thence West to West
‡1036 ‡quarter corner of Section 14; thence North to North sixteenth line of Section 15; thence West to East sixteenth line; thence South to East and West quarter line; thence West to center of Section; thence North to North sixteenth line; thence West to West line of Section 15; thence South to South sixteenth line of Section 16; thence West to East sixteenth line; thence South to South Section line; thence West to South quarter corner; thence North to North quarter corner; thence West to West sixteenth line; thence South to East and West quarter

line; thence West to West quarter corner of Section 16; thence South to North sixteenth line of Section 20; thence West to East sixteenth line; thence North to North Section line; thence West to North quarter corner; thence South to North sixteenth line; thence West to West sixteenth line; thence North to East and West quarter line of Section 17; thence West to West quarter corner of said Section 17; thence North to North line of the South half of the North half of the Northeast quarter ($S^{1}/_{2}N^{1}/_{2}NE^{1}/_{4}$) of Section 18; thence West to North and South quarter line; thence North to North quarter corner; thence East to Northeast corner of Section 18; thence North to South sixteenth line of Section 7; thence West to North and South quarter line; thence North to center of Section; thence West to West line of the East 20 acres of Lot 5; thence South to South section line; thence West to Southwest corner of Section 7, Township 147 North, Range 90 West of the 5th P. M.; thence West along South line of Section 12, Township 147 North, Range 91 West of the 5th P. M. to the West line of the East half of the Southeast quarter of the Southwest quarter ($E^{1}/_{2}SE^{1}/_{4}SW^{1}/_{4}$); thence North to South sixteenth line; thence East to North and South quarter line; thence North to center of Section; thence West to the East line of the West half of the Northwest quarter of the Southwest quarter ($W^{1}/_{2}NW^{1}/_{4}SW^{1}/_{4}$); thence South to South sixteenth line; thence West to the West line of the East half of the Northwest quarter of the Southeast quarter ($E^{1}/_{2}NW^{1}/_{4}SE^{1}/_{4}$) of Section 11; thence North to East and West quarter line; thence East to East sixteenth line; thence North to North sixteenth line; thence East to East Section line; thence North to Northeast corner of Section 11; thence West to the West line of the East half of the Southeast quarter of the Southeast quarter ($E^{1}/_{2}SE^{1}/_{4}SE^{1}/_{4}$) of Section 2; thence North to South sixteenth line; thence West to East sixteenth line; thence North to East and West quarter line; thence West to East sixteenth line of Section 3; thence North to North sixteenth line; thence West to North and South quarter line; thence North to North quarter corner; thence West to Northwest corner; thence South to West quarter corner; thence East to West sixteenth line; thence South to South sixteenth line of said Section; thence West to North and South quarter line of Section 4; thence North to North sixteenth line; thence West to West Section line; thence South to West quarter corner of Section 4; thence West to center of Section 5; thence South to South sixteenth line; thence West to West sixteenth line; thence North to North sixteenth line; thence West to West line of Sectio 5; thence South to East quarter corner of Section 6; thence West to East sixteenth line; thence North to North line of said Section 6, Township 147 North, Range 91 West of the 5th P. M.; thence North on East sixteenth line of Section 31, Township 148 North, Range 91 West of the 5th P. M. to East and West quarter line; thence West to West quarter corner; thence South to South sixteenth line; thence East to West sixteenth line; thence South to South line of Section 31, Township 148 North, Range 91 West of the 5th P. M.; thence East to North quarter corner of Section 6, Township 147 North, Range 91 West of the 5th P. M.; thence South to North sixteenth line; thence West to West section line; thence South to West quarter corner; thence East to the West line of the East 20 acres of Lot 6; thence South to South line of ⊥ Section 6; thence East to West sixteenth line of Section 7; thence South to East and West ⊥ 1037 quarter line; thence East to center of Section; thence South to South quarter corner; thence West to Southwest corner of Section 7, Township 147 North, Range 91 West of the 5th P. M.; thence West on North line of Section 13, Township 147 North, Range 92 West of the 5th P. M. to the East sixteenth line; thence South to East and West quarter line; thence West to West quarter corner; thence North to North West corner of Section 13; thence East to West sixteenth line of Section 12; thence North to North Section line; thence West to Southeast corner

of Section 3; thence North to East quarter corner; thence West to the West line of the East half of the Southwest quarter of the Northeast quarter ($E^1/_2SW^1/_4NE^1/_4$); thence North to North sixteenth line; thence West to the East line of the West half of the Southeast quarter of the Northwest quarter ($W^1/_4SE^1/_4NW^1/_4$); thence South to East and West quarter line; thence West to West sixteenth line; thence South to South sixteenth line; thence West to East sixteenth line of Section 4; thence North to North sixteenth line; thence West to East line of the West half of the Southeast quarter of the Northwest quarter ($W^1/_2SE^1/_4NW^1/_4$); thence South to South sixteenth line; thence West to West sixteenth line; thence South to South Section line; thence East to South quarter corner of Section 4; thence South to North sixteenth line of Section 9; thence West to West sixteenth line; thence South to North line of the South half of the Northeast quarter of the Southwest quarter ($S^1/_2NE^1/_4SW^1/_4$); thence East to North and South quarter line; thence South to South quarter corner of Section 9; thence West to West sixteenth line of Section 16; thence South to East and West quarter line; thence West to the West line of the East half of the Southeast quarter of the Northeast quarter of Section 17; thence North to North line of said Section 17; thence West to East sixteenth line of Section 8; thence North to South sixteenth line; thence West to West line of the East half of the Northwest quarter of the Southeast quarter ($E^1/_2NW^1/_4SE^1/_4$); thence North to East and West quarter line; thence West to center of Section; thence South to South sixteenth line of Section 17; thence East to East sixteenth line; thence South to North line of the South half of the Southeast quarter of the Southeast quarter ($S^1/_2SE^1/_4SE^1/_4$); thence East to East Section line; thence South to Southeast corner; thence West to South quarter corner of Section 17; thence South to North sixteenth line of Section 20; thence East to East sixteenth line; thence South to East and West quarter line; thence West to center of Section; thence South to South quarter corner of Section 20; thence East to East line of the West half of the Northwest quarter of the Northeast quarter ($W^1/_2NW^1/_4NE^1/_4$) of Section 29; thence South to South line of the Northwest quarter of the Southwest quarter of the Northeast quarter ($NW^1/_4SW^1/_4NE^1/_4$); thence West to North and South quarter line; thence South to South sixteenth line; thence East to East line of the West half of the Southwest quarter of the Southeast quarter ($W^1/_2SW^1/_4SE^1/_4$); thence South to South Section line; thence East to the Southeast corner of Section 29; thence South to West quarter corner of Section 33; thence East to West sixteenth line; thence South to South sixteenth line; thence East to North and South quarter line; thence North to center of Section; thence East to the East line of the West half of the West half of the Southeast quarter ($W^1/_2W^1/_2SE^1/_4$); thence South to South line of Section 33, Township 147 North, Range 92 West of the 5th P. M.; thence East to Northwest corner of Section 3, Township 146 North, Range 92 West of the 5th P. M.; thence South to North line of the South half of the South half of the North half ($S^1/_2S^1/_2N^1/_2$), thence
⊥ 1038 East to East Section line; thence South ⊥ to East quarter corner of said Section 3; thence East to West sixteenth line of Section 2; thence South to South sixteenth line; thence East to West line of the East half of the Southeast quarter of the Southwest quarter ($E^1/_2SE^1/_4SW^1/_4$); thence South to the North line of the Southwest quarter of the Northeast quarter of the Northwest quarter ($SW^1/_4NE^1/_4NW^1/_4$) of Section 11; thence West to West Section line; thence North to South line of the North half of the South half of the South half ($N^1/_2S^1/_2S^1/_2$) of Section 3; thence West to West line of said Section 3; thence North to South sixteenth line of Section 4; thence West to North and South quarter line; thence North to center of Section; thence West to West sixteenth line; thence South to South sixteenth line; thence West to West Section line; thence South to

Southwest corner of Section 4; thence West to West line of the East half of the Southwest quarter of the Southeast quarter ($E^1/_2SW^1/_4SE^1/_4$) of Section 5; thence North to South sixteenth line; thence East to West line of the East half of the Northeast quarter of the Southeast quarter ($E^1/_2NE^1/_4SE^1/_4$); thence North to East and West quarter line; thence East to East quarter corner; thence North to North sixteenth line; thence West to East sixteenth line; thence North to North Section line; thence West to Northwest corner of Section 5, Township 146 North, Range 92 West of the 5th P. M.; thence North to the South line of the North half of the South half of the Southeast quarter ($N^1/_2S^1/_2SE^1/_4$) of Section 31, Township 147 North, Range 92 West of the 5th P. M.; thence West to North and South quarter line; thence South to South quarter corner; thence West to Southwest corner of Section; thence North on the West line of said Section 31, Township 147 North, Range 92 West of the 5th P. M. to an intersection with the low water line of the Little Missouri River at the left or North bank of said stream; thence upstream in a Northwesterly direction with said low water line of the left bank, a distance of approximately 23 miles to an intersection with the North and South quarter line of Section 34, Township 148 North, Range 95 West of the 5th P. M.; thence North along said quarter line to the North quarter corner of said section; thence East to Northeast corner of Section 34; thence South to North sixteenth line of Section 35; thence East to North and South quarter line; thence South to center of Section; thence East to East quarter corner; thence South to Southeast corner of Section 35, Township 148 North, Range 95 West of the 5th P. M.; thence East to North quarter corner of Section 1, Township 147 North, Range 95 West of the 5th P. M.; thence South to center of Section; thence East to East quarter corner of and Section 1, Township 147 North, Range 95 West of the 5th P. M.; thence East to West sixteenth line of Section 5, Township 147 North, Range 94 West of the 5th P. M.; thence South to South sixteenth line; thence East to East sixteenth line; thence South to South Section line; thence East to Southeast corner of Section 5; thence South to North sixteenth line of Section 17; thence West to East sixteenth line; thence South to South Section line; thence East to Southeast corner of said Section 17; thence South to West quarter corner of Section 21; thence East to center of Section; thence North to North sixteenth line; thence East to East sixteenth line; thence North to North Section line of Section 21; thence East to South quarter corner of Section 14; thence North to South line of the North half of the Northeast quarter of the Southwest quarter ($N^1/_2NE^1/_4SW^1/_4$); thence West to West sixteenth line; thence North to North line of the South half of the Southeast quarter of the Northwest quarter ($S^1/_2SE^1/_4NW^1/_4$); thence East to North and South quarter line; thence South to center of Section; thence East to East sixteenth line of Section 13; thence South to South sixteenth line; thence East to East section line; thence South to Southeast corner of said Section 13, Township 147 North, Range 94 West of ⊥ the 5th P. M.; thence East to ⊥ 1039
South quarter corner of Section 18, Township 147 North, Range 93 West of the 5th P. M.; thence North to South sixteenth line; thence East to east line of the West half of the Southwest quarter of the Southeast quarter ($W^1/_2SW^1/_4SE^1/_4$); thence South to South Section line; thence East to Southeast corner of said Section 18; thence South to South sixteenth line of Section 20; thence East to East Section line; thence South to the North line of the South half of the North half of the Northwest quarter ($S^1/_2N^1/_2NW^1/_4$) of Section 28; thence East to North and South quarter line; thence South to North sixteenth line; thence East to the East line of the West half of the Southeast quarter of the Northeast quarter ($W^1/_2SE^1/_4NE^1/_4$); thence South to East and West quarter line; thence East to West sixteenth line of Section 27; thence North to North Section line; thence East to North quarter

corner; thence South to center of Section; thence East to East sixteenth line; thence South to South sixteenth line; thence East to North and South quarter line of Section 26; thence North to center of Section; thence East to East sixteenth line; thence North to North sixteenth line; thence East to East line of said Section 26; thence South to South sixteenth line of Section 25; thence East to East line of said Section 25, Township 147 North, Range 93 West of the 5th P. M.; thence East along the South sixteenth line of Section 30, Township 147 North, Range 92 West of the 5th P. M. to the North and South quarter line; thence North to center of Section 19; thence East to East sixteenth line; thence North to North Section line; thence West to Northwest corner of said section 19, Township 147 North, Range 92 West of the 5th P. M.; thence West to South quarter corner of Section 13, Township 147 North, Range 93 West of the 5th P. M.; thence North to center of Section; thence East to East quarter corner of said Section 13, Township 147 North, Range 93 West of the 5th P. M.; thence North to North sixteenth line of Section 7, Township 147 North, Range 92 West of 5th P. M.; thence East to West sixteenth line; thence North to South sixteenth line of Section 6; thence East to East sixteenth line; thence North to East and West quarter line; thence West to West line of said Section 6, Township 147 North, Range 92 West of the 5th P. M.; thence South to South sixteenth line of Section 1, Township 147 North, Range 93 West of the 5th P. M.; thence West to North and South quarter line; thence South to South quarter corner; thence West to West sixteenth line; thence North to South sixteenth line; thence West to West line of said Section 1; thence North to South line of the North half of the Northeast quarter of the Southeast quarter ($N^1/_2NE^1/_4SE^1/_4$) of Section 2; thence West to East sixteenth line; thence North to North line of the South half of the Southeast quarter of the Northeast quarter ($S^1/_2SE^1/_4NE^1/_4$); thence East to East Section line; thence North to Northeast corner of said Section 2, Township 147 North, Range 93 West of the 5th P. M.; thence West to South quarter corner of Section 35, Township 148 North, Range 93 West of the 5th P. M.; thence North to South sixteenth line; thence West to West Section line; thence North to West quarter corner of said Section 35; thence West to center of Section 34; thence North to North quarter corner; thence East to North quarter corner of Section 35; thence South to center of Section; thence East to West sixteenth line of Section 36; thence South to South Section line; thence East to Southeast corner of said Section 36, Township 148 North, Range 93 West of the 5th P. M.; thence North to the North line of the South half of the South half of the Southwest quarter ($S^1/_2S^1/_2SW^1/_4$) of Section 31, Township 148 North, Range 92 West of the 5th P. M.; thence East to North and South quarter line; thence South to South quarter corner; thence East to South quarter corner of Section 32; thence North to
⊥1040 South sixteenth line; thence ⊥West to East sixteenth line of Section 31; thence North to East and West quarter line; thence East to East quarter corner of said Section 31; thence North to North line of the South half of the South half of the North half ($S^1/_2S^1/_2N^1/_2$) of Section 32; thence East to East Section line; thence North to South line of the North half of the North half of the North half ($N^1/_2N^1/_2N^1/_2$); thence West to East sixteenth line of Section 31; thence North to North Section line; thence West to Northwest corner of said Section 31, Township 148 North, Range 92 West of the 5th P. M.; thence North to South sixteenth line of Section 25, Township 14 North, Range 93 West of the 5th P. M.; thence West to East sixteenth line; thence North to East and West quarter line; thence West to center of Section; thence North to North quarter corner of said Section 25; thence West to West sixteenth line of Section 24, thence North to North line of the South half of the Northeast quarter of the Southwest quarter ($S^1/_2NE^1/_4SW^1/_4$); thence East to East Sixteenth line; thence South to

South Section line; thence East to Southeast corner of said Secion 24, Township 148 North, Range 93 West of the 5th P. M.; thence South to the North line of the South half of Lot 2, Section 30, Township 148 North, Range 92 West of the 5th P. M.; thence East to North and South quarter line; thence South to center of Section; thence East to East quarter corner; thence North to Northeast corner of said Section 30; thence East to East line of the West half of the East half of the Northwest quarter ($W^1/_2E^1/_2NW^1/_4$) of Section 29; thence South to East and West quarter line; thence East to East sixteenth line of Section 28; thence South to South sixteenth line; thence East to West sixteenth line of Section 27; thence North to East and West quarter line; thence West to West quarter corner; thence North to Northwest corner of said Section 2; thence West to East sixteenth line of Section 21; thence North to East and West quarter line; thence East to West sixteenth line of Section 22; thence South to South sixteenth line; thence East to East line of the West half of the Southeast quarter of the Southwest quarter ($W^1/_2SE^1/_4SW^1/_4$); thence South to South Section line; thence East to South quarter corner of said Section 22; thence South to North line of the South half of the North half of the Northeast quarter ($S^1/_2N^1/_2NE^1/_4$) of Section 27; thence East to East line of said Section 27; thence South to North sixteenth line of Section 26; thence East to West line of the East half of the Southeast quarter of the Northwest quarter; thence South to South sixteenth line; thence West to the West sixteenth line; thence South to South Section line; thence East to East sixteenth line; thence North to South sixteenth line; thence East to East Section line; thence North to Northeast corner of said Section 26; thence East to Northeast corner of Section 25; thence North to South sixteenth line of Section 24; thence West to East sixteenth line; thence North to North Section line; thence East to Northeast corner of said Section 24, Township 148 North, Range 92 West of the 5th P. M.; thence South to North sixteenth line of Section 19, Township 148 North, Range 91 West of the 5th P. M.; thence East to West sixteenth line; thence South to East and West quarter line; thence East to center of Section; thence South to South sixteenth line; thence East to the East Section line; thence South to the Southeast corner of said Section 19; thence East to South quarter corner of Section 20; thence North to North sixteenth line; thence West to West sixteenth line; thence North to South sixteenth line of Section 17; thence West to West Section line; thence North to North sixteenth line; thence East to West sixteenth line; thence North to North line of said Section 17; thence West to the West line of the East half of the West half of the Southwest quarter ⊥($E^1/_2W^1/_2SW^1/_4$) of ⊥1041
Section 8; thence North to East and West quarter line; thence East to center of Section; thence North to South line of the North half of the Southeast quarter of the Northwest quarter ($N^1/_2SE^1/_4NW^1/_4$); thence West to West sixteenth line; thence North to North sixteenth line; thence West to West Section line; thence North to Northwest corner of said Section 8; thence West to South quarter corner of Section 6; thence North to South sixteenth line; thence West to West sixteenth line; thence North to East and West quarter line; thence East to East quarter corner of said Section 6; thence South to South sixteenth line of Section 5; thence East to North and South quarter line; thence North to North sixteenth line; thence West to West sixteenth line; thence North to North line of said Section 5, Township 148 North, Range 91 West of the 5th P. M.; thence East to East sixteenth line of Section 34, Township 149 North, Range 91 West of the 5th P. M.; thence North to South sixteenth line; thence West to West line of the East half of the Northwest quarter of the Southeast quarter ($E^1/_2NW^1/_4SE^1/_4$); thence North to East and West quarter line; thence East to East quarter corner of said Section 34; thence South to South sixteenth line of Section 35; thence East to East line of the West half

of the Southeast quarter of the Southwest quarter ($W^1/_2SE^1/_4SW^1/_4$); thence South to South Section line; thence East to South quarter corner; thence North to North sixteenth line; thence West to West sixteenth line; thence North to North Section line; thence East to North quarter corner of said Section 35; thence North to center of Section 26; thence East to East sixteenth line; thence North to North Section line; thence West to North quarter corner of said Section 26; thence North to South sixteenth line of Section 23; thence West to West line of the East half of the Northeast quarter of the Southwest quarter ($E^1/_2NE^1/_4SW^1/_4$); thence North to East and West quarter line; thence West to West sixteenth line; thence North to North sixteenth line; thence West to West Section line; thence North to Northwest corner of said Section 23; thence West to East sixteenth line of Section 15; thence North to East and West quarter line; thence West to West line of the East half of the West half of the Northeast quarter ($E^1/_2W^1/_2NE^1/_4$); thence North to North Section line; thence West to North quarter corner of said Section 15; thence North to center of Section 10; thence West to West sixteenth line; thence North to North sixteenth line; thence West to East sixteenth line of Section 9; thence North to South sixteenth line of Section 4; thence West to West sixteenth line; thence North to North Section line; thence West to Northwest corner of said Section 4, Township 149 North, Range 91 West of the 5th P. M.; thence North to East quarter corner of Section 32, Township 150 North, Range 91 West of the 5th P. M.; thence West to West quarter corner; thence South to Southwest corner of said Section 32, Township 150 North, Range 91 West of the 5th P. M.; thence West to East Sixteenth line of Section 6, Township 149 North, Range 91 West of the 5th P. M.; thence South to North sixteenth line; thence West to West sixteenth line; thence South to East and West quarter line; thence West to West Section line; thence South to North line of the South half of Lot 6 of said section; thence East to West sixteenth line; thence South to South sixteenth line; thence East to East line of the West half of the Southeast quarter of the Southwest quarter ($W^1/_2SE^1/_4SW^1/_4$); thence South to South Section line; thence West to Southwest corner of said Section 6, Township 149 North, Range 91 West of the 5th P. M.; thence West to East sixteenth line of Section 1, Township 149 North, Range 92 West of the 5th P. M.; thence
⊥1042 North to South ⊥sixteenth line; thence West to the East line of the Northwest quarter of the Southeast quarter of the Southwest quarter ($NW^1/_4SE^1/_4SW^1/_4$); thence South to South line of the Northwest quarter of the Southeast quarter of the Southwest quarter ($NW^1/_4SE^1/_4SW^1/_4$); thence West to West Section line; thence South to Southwest corner of said Section 1; thence West to West sixteenth line of Section 11; thence South to North line of the South half of the Northeast quarter of the Northwest quarter ($S^1/_2NE^1/_4NW^1/_4$); thence East to the East line of the Southwest quarter of the Northwest quarter of the Northeast quarter ($SW^1/_4NW^1/_4NE^1/_4$); thence South to North sixteenth line; thence East to East sixteenth line; thence South to North line of the Southwest quarter of the Southeast quarter of the Northeast quarter ($SW^1/_4SE^1/_4NE^1/_4$); thence East to East line of the Southwest quarter of the Southeast quarter of the Northeast quarter ($SW^1/_4SE^1/_4NE^1/_4$); thence South to East and West quarter line; thence East to East quarter corner; thence South to Southeast corner of said Section; thence West to East sixteenth line; thence North to South sixteenth line; thence West to North and South quarter line of Section 11; thence South to North sixteenth line of Section 14; thence West to East line of the West half of the Southwest quarter of the Northwest quarter ($W^1/_2SW^1/_4NW^1/_4$); thence South to East and West quarter line; thence West to West quarter corner; thence South to Southwest corner of said Section 14; thence West to East sixteenth line of Section 15; thence North to East and West quarter line; thence West to the

West line of the East half of the Southeast quarter of the Northeast quarter ($E^1/_2SE^1/_4NE^1/_4$) of Section 16; thence North to the North line of the Southeast quarter of the Northeast quarter of the Northeast quarter ($SE^1/_4NE^1/_4NE^1/_4$); thence East to East Section line; thence North to Northeast corner of said Section 16; thence East to the South quarter corner of Section 10; thence North to South sixteenth line; thence East to East sixteenth line; thence North to North line of said Section 10; thence West to East line of the West half of the Southeast quarter of the Southwest quarter ($W^1/_2SE^1/_4SW^1/_4$) of Section 3; thence North to South sixteenth line; thence West to West Section line; thence North to West quarter corner of said Section 3; thence West to center of Section 4; thence South to South quarter corner; thence West to West sixteenth line; thence North to South line of the North half of the Northwest quarter of the Southwest quarter ($N^1/_2NW^1/_4SW^1/_4$); thence West to West line of said Section 4; thence North to South line of the North half of the South half of the Northeast quarter ($N^1/_2S^1/_2NE^1/_4$) of Section 5; thence West to North and South quarter line; thence North to North quarter corner; thence West to Northwest corner of said Section 5; thence South to North sixteenth line of Section 6; thence West to West sixteenth line; thence North to North line of said Section 6, Township 149 North, Range 92 West of the 5th P. M.; thence East to the West line of the East half of the Southeast quarter of the Southwest quarter ($E^1/_2SE^1/_4SW^1/_4$) of Section 31, Township 150 North, Range 92 West of the 5th P. M.; thence North to South sixteenth line; thence West to West Section line; thence South to Southwest corner of said Section 31, Township 150 North, Range 92 West of the 5th P. M.; thence West to East sixteenth line of Section 36, Township 150 North, Range 93 West of the 5th P. M.; thence North to East and West quarter line; thence West to center of Section; thence South to South quarter corner of said Section 36, Township 150 North, Range 93 West of the 5th P. M.; thence West to the East line of the West half of the East half of the Northwest quarter of Section 1, Township 149 North, Range 93 West of the 5th P. M.; ⊥thence South to East and West quarter line; thence West to ⊥1043
West line of the East half of the Southwest quarter of the Northwest quarter ($E^1/_2SW^1/_4NW^1/_4$); thence North to North sixteenth line; thence East to West sixteenth line; thence North to North line of said Section 1, Township 149 North, Range 93 West of the 5th P. M.; thence West to Southeast corner of Section 35, Township 150 North, Range 93 West of the 5th P. M.; thence North to South sixteenth line; thence West to East sixteenth line; thence South to South Section line; thence West to West sixteenth line; thence North to South sixteenth line; thence East to North and South quarter line; thence North to North sixteenth line; thence West to West sixteenth line; thence South to East and West quarter line of Section 35; thence West to West line of the East half of the East half of the Northeast quarter ($E^1/_2E^1/_2NE^1/_4$) of Section 34; thence North to North Section line; thence West to North quarter corner; thence South to North sixteenth line; thence West to East sixteenth line of Section 33; thence North to North Section line; thence East to Northeast corner of said Section 33; thence North to East quarter corner of Section 28; thence West to West sixteenth line; thence North to North sixteenth line; thence West to East sixteenth line of Section 29; thence South to East and West quarter line; thence West to East line of the West half of the West half of the Southeast quarter ($W^1/_2W^1/_2SE^1/_4$); thence South to South line of said Section 29; thence West to West sixteenth line of Section 32; thence South to North sixteenth line; thence West to West Section line; thence South to West quarter corner of said Section 32; thence West to East sixteenth line of Section 31; thence North to North Section line; thence East to Northeast corner of said Section 31; thence North to West quarter corner of Section 29; thence East to West sixteenth line;

thence North to East and West quarter line of Section 20; thence West to West quarter corner of said Section 20; thence North to North sixteenth line of Section 19; thence West to West line of said Section 19, Township 150 North, Range 93 West of the 5th P. M.; thence South to East quarter corner of Section 24, Township 150 North, Range 94 West of the 5th P. M.; thence West to West line of the East half of the Southwest quarter of the Northeast quarter ($E^1/_2SW^1/_4NE^1/_4$); thence North to North sixteenth line; thence East to East sixteenth line; thence North to North line of said Section 24; thence West to Southeast corner of Section 14; thence North to South sixteenth line; thence West to West line of said Section 14; thence South to Southeast corner of Section 15; thence West to Southwest corner of said Section 15; thence North to South sixteenth line of Section 16; thence West to North and South quarter line; thence North to North sixteenth line; thence East to North and South quarter line of Section 15; thence South to center of Section; thence East to East quarter corner of said Section 15; thence North to Northwest corner of Section 14; thence East to North quarter corner of Section 13; thence South to North sixteenth line; thence East to East Section line; thence North to Northeast corner of said Section 13; thence West to East sixteenth line of Section 12; thence North to South sixteenth line; thence West to North and South quarter line; thence North to center of Section; thence West to West line of the East half of the Southeast quarter of the Northwest quarter ($E^1/_2SE^1/_4NW^1/_4$); thence North to North sixteenth line; thence West to West line of Section 12; thence North to North sixteenth line of Section 2; thence West to East sixteenth line; thence North to North line of said Section 2, Township 150 North, Range 94 West of the 5th P. M.; thence North on East sixteenth line of Section 35, Township 151 North, Range 94 West of the 5th P. M. to the
† 1044 East and West quarter line; thence East to East quarter ⊥corner; thence North to North sixteenth line; thence West to East sixteenth line; thence North to South sixteenth line of Section 26; thence West to North and South quarter line; thence North to center of Section; thence East to East quarter corner of said Section 26; thence North to Southwest corner of Section 24; thence East to West sixteenth line; thence North to South sixteenth line of Section 13; thence West to West Section line; thence South to Southwest corner of said Section 13; thence West to East sixteenth line of Section 14; thence North to East and West quarter line; thence West to West line of the East half of the West half of the Northeast quarter ($E^1/_2W^1/_2NE^1/_4$); thence North to North line of said Section 14; thence East to East sixteenth line of Section 11; thence North to South sixteenth line; thence West to West Section line; thence South to Southwest corner of said Section 11; thence West to East sixteenth line of Section 10; thence North to East and West quarter line; thence East to East quarter corner; thence North to Northeast corner of said Section 10; thence West to South quarter corner of Section 3; thence North to North line of the South half of the Northwest quarter of the Southeast quarter ($S^1/_2NW^1/_4SE^1/_4$); thence East to the East line of the Southwest quarter of the Northeast quarter of the Southeast quarter ($SW^1/_4NE^1/_4SE^1/_4$); thence South to South sixteenth line of Section 3; thence East to West sixteenth line of section 2; thence South to South Section line; thence East to South quarter corner of said Section 2; thence South on North and South quarter line of Section 11 to North sixteenth line; thence East to East sixteenth line; thence North to North Section line; thence East to Northeast corner of said Section 11; thence South to North sixteenth line of Section 12; thence East to North and South quarter line; thence North to North sixteenth line of Section 1; thence West to West sixteenth line; thence North to North line of Section 1, Township 151 North, Range 94 West of the 5th P. M.; thence North on the West sixteenth line of Section 36, Township 152 North, Range 94

West of the 5th P. M. to the South sixteenth line; thence East to North and South quarter line; thence North to North quarter corner; thence East to Northeast corner of said Section 36, Township 152 North, Range 94 West of the 5th P. M.; thence East to the South quarter corner of Section 30, Township 152 North, Range 93 West of the 5th P. M.; thence North to South sixteenth line; thence East to the East Section line; thence North to Northeast corner of said Section 30; thence East to South quarter corner of Section 20; thence North to South sixteenth line; thence East to West line of the East half of the Northwest quarter of the Southeast quarter ($E^1/_2NW^1/_4SE^1/_4$); thence North to East and West quarter line; thence East to East quarter corner; thence North to West quarter corner of Section 16; thence East to West sixteenth line; thence South to South sixteenth line; thence East to East sixteenth line; thence South to South Section line; thence East to Southeast corner of said Section 16; thence North to Southeast corner of Section 9; thence West to South quarter corner; thence North 2,441.3 feet along the North and South quarter line to the North boundary of the Ft. Berthold Indian Reservation line as surveyed; thence East with said Reservation line approximately two (2) miles to the low water line of the Missouri River at the left bank of said stream; thence downstream with said low water line approximately seven (7) miles to the East and West quarter line of Section 7, Township 151 North, Range 93 West of the 5th P. M.; thence East to center of Section; thence South to South quarter corner of said Section 7; thence West to the West sixteenth line of Section 18; thence South to South Section line; thence East to South quarter ⊥ corner of said Section 18; thence South to North sixteenth line of Section 30; thence West to West sixteenth line; thence South to South sixteenth line; thence West to the West Section line; thence South to the Southwest corner of Section 31, Township 151 North, Range 93 West of the 5th P. M., being the same point as the point of beginning; also Lot 2, Southeast quarter of the Northeast quarter of the Southeast quarter ($SE^1/_4NE^1/_4SE^1/_4$), Southeast quarter of the Southwest quarter of the Southeast quarter ($SE^1/_4SW^1/_4SE^1/_4$) of Section 12, and that portion of Lot 5 of Section 13 bounded on the North by the North Section line, on the East by the Ft. Berthold Indian Reservation Line, on the South by a line 660 feet South and parallel to the North Section line and on the West by a line 660 feet East and parallel to the North and South quarter line of said Section 13, Township 147 North, Range 87 West of the 5th P. M., containing in the aggregate, less water surface, 175,716.44 acres, more or less, EXCEPTING therefrom the following described lands:

⊥ 1045

DUNN COUNTY

Township	Range	Section	Description	Acres
146 N	92 W	5	Lot 1	40.10
147 N	91 W	2	Lots 3, 4, $S^1/_2NW^1/_4$	158.20
147 N	92 W	4	Lots 3, 4 & 5	71.60
		5	Lots 1, 2, 3	75.62
		32	Lot 7, $NE^1/_4SE^1/_4$, $S^1/_2SE^1/_4$	149.36
147 N	94 W	14	$W^1/_2SE^1/_4$	80.00
		22	Lots 7, 8, 9, 11	102.45
		23	Lots 5, 6, 7, 8, $N^1/_2NW^1/_4$, $SW^1/_4N^1/_4$	209.81
148 N	91 W	17	$NW^1/_4NE^1/_4$	40.00
		33	$W^1/_2NW^1/_4NW^1/_4NW^1/_4$, $SE^1/_4NE^1/_4$	45.00
148 N	92 W	32	Lots 4 & 5	66.03
149 N	91 W	11	$NW^1/_4NW^1/_4$	40.00
		14	$S^1/_2NW^1/_4$	80.00
		15	$NE^1/_4SE^1/_4$	40.00
		23	$NW^1/_4NE^1/_4$	40.00
150 N	91 W	34	$SE^1/_4NE^1/_4SE^1/_4$	10.00

McKENZIE COUNTY

Township	Range	Section	Description	Acres
152 N	93 W	15	SW¼	160.00
		28	Lot 1, SW¼NE¼ less erosions	62.91
		29	N½, SW¼	480.00
		31	Lots 1, 2, E½NW¼, NE¼	308.88
		32	Lots 1, 2, 3, 5, W½NW¼, NE¼NW¼, NW¼NE¼ plus accretions.	324.54
		33	Lot 2, plus accretions	18.91
152 N	94 W	36	NE¼	160.00

McLEAN COUNTY

147 N	87 W	13	That portion of Lot 5 of Section 13 bounded on the North by the North Section line, on the East by the Ft. Berthold Indian Reservation Line, on the South by a line 660 feet South and parallel to the North Section line and on the West by a line 660 feet East and parallel to the North and South quarter line of Section 13.	11.58
		17	NW¼	160.00
		18	Lots 1, 2, E½NW¼	150.28
		19	Lots 3, 4, E½SW¼, SE½	310.88
		20	N½NE¼, SW¼SW¼SW¼SW¼	82.50
		21	NE¼, SE¼	320.00
		22	Lots 1, 2, N½SE¼ less erosions	111.42
		23	Lots 3 & 4 less erosions	67.79
		30	Lots 1 & 2, E½NW¼, NE¼, N½SE¼	391.19
147 N	88 W	14	W½W½SW¼SE¼	10.00
		17	S½NW¼, NE¼NE¼	120.00
		19	SW¼NE¼	40.00
		20	SE¼SE¼, SE¼SW¼	80.00
		21	NE¼SE¼, SW¼NW¼	80.00
		24	W½E½	160.00
		28	E½E½NW¼	40.00
		28	Tract of land described as follows: Beginning at a stake on the Section line between Sections 21 & 28 which is 13 chains West of the NE Section corner of Section 28; thence running N 89°–44′ W a distance of 4 chains; thence South 5 chains; thence N 89°–44′ E a distance of 4 chains and thence North to the place of beginning, the land described being embraced in Section 28, Township 147 North, Range 88 West of the 5th P. M. containing 2 acres.	2.00
		29	SE¼NE¼	40.00
		36	Lots 1, 2, & 3	53.00
147 N	89 W	1	S½SW¼NW¼	20.00
		6	Lot 4	35.90
		12	NE¼, NW¼NW¼	200.00
147 N	90 W	3	Lot 2, SW¼NE¼, NW¼SE¼	119.94
		4	SE¼NE¼, E½E½E½SW¼NE¼	45.00
		5	Lots 1, 2, 4 and S½NE¼	198.26
148 N	89 W	30	Lot 4	35.14
148 N	90 W	19	Lot 4, SE¼SW¼, SW¼SE¼	115.52
		20	SW¼NW¼, SW¼SE¼	80.00
		21	NE¼SE¼, S½SE¼	120.00
148 N	90 W	25	S½SW¼, NW¼SW¼, SW¼SE¼	160.00
		26	W½SW¼, W½E½SW¼	120.00
		27	SW¼, SW¼NW¼, NE¼NE¼	240.00
		28	SE¼NE¼, S½SE¼, N½NE¼	200.00
		29	NW¼NE¼, SW¼, SE¼	360.00
		30	Lots 3 & 4, E½SW¼, SE¼	311.47
		31	Lots 1 & 2, E½NW¼, NE¼	311.81
		32	SW¼	160.00
148 N	90 W	33	SW¼, S½SE¼, NW¼NE¼	280.00

McLEAN COUNTY—Continued

Township	Range	Section	Description	Acres
		34	SE¼NW¼, W½SE¼, SE¼SE¼	160.00
		35	N½NE¼	80.00
		36	W½NW¼, NE¼NW¼, N½NE¼	200.00
148 N	91 W	1	SW¼SE¼, SW¼, Lot 4, SW¼NW¼	268.44
		2	Lots 1 & 2, SE¼NE¼, SE¼, S½SW¼, NW¼SW¼	377.35
		12	NW¼NW¼	40.00e
		23	NE¼NW¼	40.00
148 N	91 W	24	SE¼SE¼, W½SE¼	120.00
		25	NE¼, SE¼, SW¼	480.00
		26	Lots 4 & 5 plus accretions	74.88
		36	NE¼	160.00
149 N	90 W	8	SE¼E½SW¼, SW¼SW¼	280.00
		10	SE¼, W½NE¼	240.00
		12	S½S½	160.00
		13	N½N½, W½SE¼	240.00
		14	NE¼NW¼, NE¼, N½SE¼	280.00
		15	NE¼	160.00
		16	NW¼NE¼, NW¼SW¼, S½SW¼	160.00
		17	NW¼SW¼, SW¼NW¼, NE¼SW¼, SE¼SE¼SE¼NW¼	122.50
		18	Lots 1 & 2, E½NW¼, W½NE¼, SE¼NE¼	278.87
		19	NE¼	160.00
		20	W½NW¼	80.00
		21	S½W¼, NE¼NE¼	120.00
		22	N½NW¼, E½SE¼NW¼	100.00
		23	N½N½NW¼	40.00
		24	NE¼NW¼, NW¼NE¼, W½NE¼NE¼	100.00
		27	NW¼SW¼	40.00
		28	NW¼NE¼, N½SE¼, NW¼SW¼	160.00
		29	SE¼, W½NE¼	240.00
		31	NE¼SE¼	40.00
		32	S½	320.00
		33	W½SW¼	80.00
149 N	91 W	13	Lot 1	45.78
150 N	91 W	1	W½SW¼	80.00
		2	Lot 4, SW¼NW¼, SE¼	239.36
		4	Lots 1 & 2 and S½NE¼	158.44
		6	Lots 1 & 2, S½NE¼, SE¼	319.21
		9	SE¼NW¼, N½NW¼, N½NE¼, 1 acre in the extreme SE corner of NE¼SW¼.	201.00
		10	NE¼, Lots 1, 2, 3 and SW¼ SW¼	259.60
		11	NE¼NW¼, S½SE¼	120.00
		12	W½NE¼, NW¼, SW¼, SE¼	560.00
		13	NW¼, NE¼, SE¼	480.00
150 N	91 W	14	Lots 1, 2, 3, SW¼NW¼, SW¼	259.00
		15	Lots 1, 2, 3, S½N½, N½S½	397.30
		16	S½NE¼, W½NW¼NW¼NW¼, also the following described tract; Beginning at a stake on the Section line between Sections 9 and 16: thence running due West a distance of 4 chains; thence due South 10 chains; thence due East 4 chains; thence due North to place of beginning, in Section 16 in Township 150 North, Range 91 West of the 5th P. M., containing 4 acres.	89.00
		17	NE¼NE¼, NE¼NE¼NW¼SE¼	42.50
		18	SW¼NE¼	40.00
		19	Lot 3	33.83
		23	N½NW¼	80.00
		24	Lot 1, SW¼NW¼, NE¼SW¼, E½SE¼	248.05

MERCER COUNTY

Township	Range	Section	Description	Acres
146 N	88 W	4	Lots 1, 2, 3 & 4	356.11
		5	Lots 1 & 2, $NE^{1}/_{4}SW^{1}/_{4}$	288.29
		8	$W^{1}/_{2}NE^{1}/_{4}$, $SE^{1}/_{4}SW^{1}/_{4}$, $W^{1}/_{2}SE^{1}/_{4}$, $NW^{1}/_{4}SW^{1}/_{4}$	240.00
		9	$NW^{1}/_{4}$	160.00
146 N	89 W	2	$SW^{1}/_{4}NE^{1}/_{4}$	40.00
		11	$N^{1}/_{2}$, $N^{1}/_{2}N^{1}/_{2}SW^{1}/_{4}$	360.00
147 N	89 W	18	$SE^{1}/_{4}SW^{1}/_{4}$	40.00
		19	$SW^{1}/_{4}NE^{1}/_{4}$	40.00
		27	$SW^{1}/_{4}NE^{1}/_{4}$	40.00
		28	$S^{1}/_{2}NE^{1}/_{4}$, $NW^{1}/_{4}$	240.00
		29	$SW^{1}/_{4}NE^{1}/_{4}$	40.00
147 N	90 W	25	$E^{1}/_{2}NW^{1}/_{4}$	80.00

1 1047

MOUNTRAIL COUNTY

Township	Range	Section	Description	Acres
150 N	92 W	20	$NE^{1}/_{4}SE^{1}/_{4}$	40.00
		23	$NW^{1}/_{4}SE^{1}/_{4}$	40.00
		26	$W^{1}/_{2}SE^{1}/_{4}$, $SE^{1}/_{4}SE^{1}/_{4}$, $SE^{1}/_{4}NE^{1}/_{4}$	160.00
		28	$S^{1}/_{2}SE^{1}/_{4}$	80.00
		29	$E^{1}/_{2}$	320.00
		33	$SE^{1}/_{4}NE^{1}/_{4}$	40.00
		34	$SW^{1}/_{4}NW^{1}/_{4}$, $S^{1}/_{2}NE^{1}/_{4}$	120.00
		35	$N^{1}/_{2}SE^{1}/_{4}$	80.00
		36	$S^{1}/_{2}S^{1}/_{2}$	160.00
150 N	93 W	14	$SW^{1}/_{4}SW^{1}/_{4}$	40.00
		15	$N^{1}/_{2}SW^{1}/_{4}$, $NW^{1}/_{4}SE^{1}/_{4}$	120.00
		16	Lot 1 and $SE^{1}/_{4}SW^{1}/_{4}$ plus accretions	79.97
		17	$NE^{1}/_{4}NW^{1}/_{4}$	40.00
		22	$N^{1}/_{2}S^{1}/_{2}SE^{1}/_{4}$	40.00
		23	$SW^{1}/_{4}NW^{1}/_{4}$, $S^{1}/_{2}SW^{1}/_{4}$, $NW^{1}/_{4}SW^{1}/_{4}$	160.00
		25	Lots 1, 2, 3, $NE^{1}/_{4}NE^{1}/_{4}$, $N^{1}/_{2}NW^{1}/_{4}$ plus accretions	178.26
		26	$N^{1}/_{2}NE^{1}/_{4}NE^{1}/_{4}$	20.00

said exceptions, as tabulated above, containing 20,804.83 acres, more or less.

Total area of lands held by the Three Affiliated Tribes within the Reservation Boundaries and within the Taking Line of the Garrison Reservoir is 154,911.61 acres, more or less.

PART B—RURAL AREAS

MOUNTRAIL COUNTY

Township	Range	Section	Description	Acres
151 N	92 W	24	$W^{1}/_{2}NW^{1}/_{4}$	80.00
151 N	93 W	6	Lot 5	32.11
		7	Lot 2	10.69
		8	$NW^{1}/_{4}$	160.00
152 N	93 W	22	Lot 3	29.24
		23	Lots 1 & 2	65.76
		27	Lot 4, $SW^{1}/_{4}NE^{1}/_{4}$	67.97
		32	Lots 4, 6, $SE^{1}/_{4}SE^{1}/_{4}$	98.12
			Total	543.89

PART C—IN TOWNSITES OF VAN HOOK AND SANISH, NORTH DAKOTA

VAN HOOK

(All numbers inclusive)

Block	Lots	Block	Lots
8 & 9	All.	28 to 29	All.
10	3, 5 to 16.	30	9 to 16.
15	6, 15, 16.	31	All.
16	9, 10, 16.	33 to 36	All.
17	8, 9, 10, 12 to 15.	37	5 to 16.
18	All.	38 to 40	All.
19	2 to 9.	41	1, 2, 9 to 16.
20 to 26	All.	42	All.
27	1 to 8.		

SANISH

Block	Lots	Block	Lots
1 to 14	All.	32	1 to 6, 11.
15	1 to 17, 19, 20.	33	1 to 6.
16 & 17	All.	34	2 to 8, 12 to 20.
18	1 to 6, 9, 10, 12.	35 & 36	All.
19 & 20	All.	37	1 to 7, 10 to 12.
21	1 to 9.	39	1 to 6, 12.
22	1 to 6, 10.	40	All.
23 & 24	All.	41	1 to 14, 19, 20.
25	1, 2, 3.	42	2, 4, 8.
26	1 to 6, 8, 11, 12.	44	2 to 7.
27	1, 2, 9, 11.	46	1 to 3, 9, 10, 12.
28	2, 11, 12.	47	2 to 6, 9.
29 & 30	All.	48	1 to 6, 8 to 12.
49	1, 4 to 12.	65	3 to 6.
50	7 to 12.	66	1 to 4, 6.
51 & 52	All.	67	1 to 15.
53	1 to 6, 9 to 12.	68	1 to 6, 8 to 12.
54	8, 9, 10, 12.	69	5, 6, 7.
55	7, 8.	70	1, 2, 4.
56	10, 11, 12.	71 & 72	All.
57	10, 11.	73	3, 7 to 12.
58	9 to 12.	74	All.
59	5, 6.	75	1, 2, 7 to 10.
60	1 to 6.	76 to 81	All.
61	1, 2, 3, 9 to 20.	82	1, 2, 3.
62	1 to 5, 8.	84	3.

PART D—PUBLIC RESERVES IN TOWNSITES OF SANISH AND VAN HOOK, NORTH DAKOTA

VAN HOOK

Block	Lots
32	All.

SANISH

31	All.
42	6, 7.
43	All.

Part E, all rights in coal heretofore reserved to the Tribes in the following described lands:

DUNN COUNTY

Township	Range	Section	Description	Acres
146 N	92 W	5	Lot 1	40.10
147 N	92 W	4	Lots 3, 4 & 5	71.60
		5	Lots 1, 2 & 3	75.62
		32	Lot 7, NE¼SE¼, S½SE¼	149.36
147 N	94 W	22	Lots 7, 8, 9 & 11	102.45
		23	Lots 5, 6, 7, & 8, N½NW¼, SW¼NW¼	209.81
148 N	92 W	32	Lots 4 & 5, S½SW¼	146.03
149 N	91 W	14	S½NW¼	80.00

McKENZIE COUNTY

152 N	93 W	29	N½, SW¼	480.00
		31	Lots 1 & 2, E½NW¼	148.88
152 N	94 W	36	NE¼	160.00

McLEAN COUNTY

147 N	87 W	13	That portion of Lot 5 bounded on the North Section line, on the East by the Fort Berthold Indian Reservation Line, on the South by a line 600 feet South and parallel to the North Section line and on the West by a line 600 feet East and parallel to the North & South quarter line of Section 13.	11.58
		17	NW¼	160.00
		30	N½SE¼	80.00
147 N	88 W	19	SW¼NE¼	40.00
		21	SW¼NW¼	40.00
148 N	90 W	21	S½SE¼	80.00
149 N	90 W	12	S½SE¼	80.00
		13	N½NW¼	80.00
		16	NW¼SW¼	40.00
		17	SW¼NW¼	40.00
150 N	91 W	9	SE¼NW¼	40.00
		14	N½SW¼	80.00
		18	SW¼NE¼	40.00

63 Stat. 1049

MERCER COUNTY

146 N	88 W	4	Lots 1 & 2	85.90
147 N	89 W	28	S½NE¼, NW¼	240.00
		29	SW¼NE¼	40.00

MOUNTRAIL COUNTY

150 N	93 W	17	NE¼NW¼	40.00
			Grand total	2,881.33

Together with all rights in coal reserved to the Tribes in patents issued for other lands within the Garrison Reservoir.

Approved, October 29, 1949.

[CHAPTER 791]

AN ACT

October 31, 1949
[S. 2404]

[Public Law 438]
63 Stat. 1049

Authorizing an appropriation for the construction, extension, and improvement of a county hospital at Albuquerque, New Mexico, to provide facilities for the treatment of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,500,000 for the purpose of cooperating with the county of Bernalillo, State of New Mexico, in the construction of a general hospital at Albuquerque, New Mexico, on land conveyed or to be conveyed to said county by the United States, which will provide and make available when required not less than one hundred beds for Indians. The expenditure of any moneys authorized to be appropriated hereunder shall be subject to the condition that the proper authorities of Bernalillo County, State of New Mexico, promptly take the necessary steps under the laws of said States to provide such additional funds as may be required to complete the construction of such hospital, including the provision of regulation equipment in such hospital. Proof of compliance with such condition shall be submitted to the Commissioner of Indian Affairs, who may enter into such contract or contracts with said authorities relating to such hospital as shall be necessary to carry out the provisions of this Act.

Hospital, Albuquerque, N. Mex.
Appropriation authorized.

Provision of additional funds by County.

Proof of compliance.

(b) Actual work on such hospital shall proceed under the direction of the officials of the county of Bernalillo, State of New Mexico, and payment for such work in place shall be made monthly on vouchers properly certified by said officials to the Commissioner of Indian Affairs, whose determination and approval of the proper amount chargeable to any appropriation authorized hereunder shall be final and sufficient for payment thereof: *Provided*, That such hospital shall be constructed, operated, and maintained by the county of Bernalillo, State of New Mexico, or its successor operator, in accordance with standards acceptable to the State of New Mexico and shall be available to all Indians: *Provided further*, That the Commissioner of Indian Affairs shall reimburse the county of Bernalillo, or any successor operator of such hospital, for the care and treatment of Indians eligible under the regulations of the Secretary of the Interior for hospital and medical services who may be admitted to or treated in said hospital under the provisions of the Act of April 16, 1934, as amended (U. S. C., title 25, secs. 452–454), at rates not in excess of the average annual per diem cost of operation and maintenance for the entire hospital, but in no event shall the amount of such payment by the ⊥Commissioner of Indian Affairs be less than the average annual per diem cost of operation and maintenance for 80 per centum of the beds required to be made available. The method of determining average annual per diem cost of operation and maintenance shall be agreed upon between the county of Bernalillo and the Commissioner of Indian Affairs in the contract between them relating to such hospital. Such payments shall be made by the Commissioner of Indian Affairs in the manner and at the time agreed upon in said contract: *Provided further*, That the authority of the Commissioner of Indian Affairs to make such payments shall expire on June 30, 1954: *Provided further*, That on or before December 31, 1953, the Secretary of the Interior is authorized and directed to report to the Congress his recommendations with respect to the amounts (together with the formula used in arriving at such amounts) to be paid for such purposes after June 30, 1954: *And provided further*, That the Commissioner of Indian Affairs may for temporary periods waive the requirements that one hundred beds always be available for Indians, if for any temporary period such a number is not needed or required, and if in return the operator agrees that the minimum charge should be proportionately reduced.

Direction and payment of actual work.

Construction, operation, etc.

Reimbursement for care and treatment of Indians.

48 Stat. 596.
Limitation.

⊥1050

Expiration of authority.

Report to Congress.

Waiver of requirements.

SEC. 2. The county of Bernalillo may, with the consent of the Commissioner of Indian Affairs, permit such hospital to be operated by the State of New Mexico, or any subdivision thereof, if the laws of

Operation by State.

Administration by Commissioner of Indian Affairs

said State permit such operation. The financial cooperation provided for herein shall be conditioned upon the inclusion in the contract to be entered into between the Commissioner of Indian Affairs and the proper authorities of Bernalillo County (relating to the construction, operation, and maintenance of such hospital) of a requirement that in the event the county of Bernalillo, or any of the successor operators of such hospital, shall at any time cease or suspend, or be about to cease or suspend, the operation of such hospital, or in the event that the Secretary of the Interior, after such notice and hearing as shall be specified in such contract, shall find that there has been a willful and continuous violation of any of the conditions of section 2 of this Act, the Commissioner of Indian Affairs shall enter and take over the administration of such hospital and of all of its equipment and facilities and operate and maintain the same. In the event the Commissioner of Indian Affairs shall take over the administration of such hospital as hereinbefore provided, the Bureau of Indian Affairs shall furnish hospitalization, treatment, and medical service to non-Indians who are qualified to enter and receive services at such hospital under the laws or regulations of the county of Bernalillo, the State of New Mexico, or the applicable local subdivision of said State: *Provided*, That the county of Bernalillo, the State of New Mexico, or subdivision thereof, or the patient, as the case may be, shall reimburse the United States for such services, care, and treatment at rates not in excess of the average annual per diem cost of operation for the entire hospital. Such sums as shall be reimbursed to the United States shall be covered into the Treasury of the United States to the credit of the appropriation from which the hospitalization or medical services are provided, and shall be available for the operation and maintenance of the institution. If at any time after the taking over of the administration of such hospital by the Commissioner of Indian Affairs, the Board of County Commissioners of Bernalillo County, or the Board of Trustees of the Bernalillo County Hospital, or their successors, shall establish to the satisfaction of the Secretary of the Interior their willingness and ability to operate and maintain such hospital in accordance with this Act and the contract with the Commissioner of Indian Affairs, ⊥the Commissioner of Indian Affairs shall return the administration of said hospital, equipment, and facilities to said Board of County Commissioners of Bernalillo County or the Board of Trustees of the Bernalillo County Hospital, or their successors, as the case may be, for operation pursuant to the provisions of this Act and the terms of the contract with the Commissioner of Indian Affairs.

Reimbursement to U S

Return of administration to County

⊥1051

Cost of personnel, etc., supplied by Bureau of Indian Affairs

SEC. 3. In the event that the Bureau of Indian Affairs at the request of the Board of County Commissioners of Bernalillo County, or the Board of Trustees of the Bernalillo County Hospital, or their successors, shall supply any personnel, materials, or other resources for the operation of such hospital, the cost thereof, as agreed upon by the Commissioner of Indian Affairs and the county of Bernalillo, or the State of New Mexico, or any of its subdivisions then operating such hospital, shall be deducted from the amount due and payable by the Bureau of Indian Affairs.

Approved, October 31, 1949.

PRIVATE LAWS OF THE EIGHTY-FIRST CONGRESS, FIRST SESSION, 1949.

[CHAPTER 106]

May 14, 1949
[H. R. 1029]

[Private Law 44]
63 Stat. 1092.

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Howard C. Heckenlively.

Howard C. Heckenlively.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Howard C. Hecken-

lively, of Livingston, Montana, a patent in fee to the following described lands on the Crow Indian Reservation, Montana: The south half of the southwest quarter of section 1; the south half of the southeast quarter of section 2; the north half of the northwest quarter of section 12; and the north half of the northeast quarter of section 11, township 9 south, range 36 east, Montana principal meridian, containing three hundred and twenty acres.

Approved, May 14, 1949.

[CHAPTER 107]

AN ACT

May 14, 1949
[H. R. 1030]

[Private Law 45]
63 Stat. 1092

Authorizing the Secretary of the Interior to issue a patent in fee to Francis Howe.

Francis Howe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Francis Howe, of Hardin, Montana, a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Montana: The north half, the southwest quarter, and the west half of the west half of the southeast quarter, of section 20, township 8 south, range 38 east, Montana principal meridian, and the northwest quarter, section 29, township 8 south, range 38 east, Montana principal meridian, containing six hundred and eighty acres.

Approved, May 14, 1949.

[CHAPTER 111]

AN ACT

May 14, 1949
[H. R. 1109]

[Private Law 49]
63 Stat. 1093

Authorizing the Secretary of the Interior to issue a patent in fee to Phena M. Anderson.

Phena M. Anderson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to issue to Phena M. Anderson, of Spokane, Washington, a patent in fee to the following-described lands allotted to her on the Blackfeet Indian Reservation, Montana: The east half of the northeast quarter of section 30, township 37 north, range 10 west, Montana principal meridian, containing eighty acres.

SEC. 2. Said patent in fee when issued shall contain a reservation to the United States of the oil, gas, and all other mineral deposits as provided in the Act of June 30, 1919 (41 Stat. 16).

Approved, May 14, 1949.

[CHAPTER 112]

AN ACT

May 14, 1949
[H. R. 1281]

[Private Law 50]
63 Stat. 1093

Authorizing the Secretary of the Interior to issue a patent in fee to Leslie Paul Schroeder.

Leslie Paul Schroeder.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Leslie Paul Schroeder, of Lodge Grass, Montana, a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Montana: The west half of the northwest quarter and the northwest quarter of the southwest quarter of section 16; the northeast quarter of the southeast quarter and the south half of the southeast quarter of section 17; and the north half of the northeast quarter of section 20, township 9 south, range 34 east, Montana principal meridian; and the southwest quarter of section 15 and the southeast quarter of section 16, township 6 south, range 33 east, Montana principal meridian, containing six hundred and forty acres.

Approved, May 14, 1949.

[CHAPTER 142]

AN ACT

May 25, 1949
[S. 716]

Authorizing the Secretary of the Interior to sell the land of George Peters under existing regulations.

[Private Law 70]
63 Stat. 1101

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the filing of a written application by George Peters, Crow Indian allottee numbered 1292, the Secretary of the Interior is hereby authorized to sell to a Crow Indian, under existing regulations, the homestead and other land of said George Peters, described as all of section 20; the north half of the north half; the north half of the north half of the south half of the north half of section 29, township 4 south, range 37 east, Montana principal meridian, containing eight hundred and forty acres, the status of such land with respect to taxability to remain unchanged.

George Peters.

Approved, May 25, 1949.

[CHAPTER 204]

AN ACT

June 14, 1949
[S. 835]

Authorizing the issuance of a patent in fee to James Madison Burton.

[Private Law 100]
63 Stat. 1114

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to James Madison Burton, of Kaysville, Utah, a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Montana: Allotment numbered 3118, the south half of section 13, and the south half of section 14, northeast quarter section 22, and the northwest quarter section 23, township 9 south, range 36 east, Montana principal meridian.

James Madison Burton

Approved, June 14, 1949.

[CHAPTER 207]

AN ACT

June 14, 1949
[S. 1036]

Authorizing the issuance of a patent in fee to Lavantia Pearson.

[Private Law 103]
63 Stat. 1115

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Lavantia Pearson, Crow allotte numbered 183 S. A., of Phoenix, Arizona, a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Montana: The south half of section 29, township 2 south, range 30 east, Montana principal meridian, containing three hundred and twenty acres.

Lavantia Pearson

Approved, June 14, 1949.

[CHAPTER 208]

AN ACT

June 14, 1949
[S. 1037]

Authorizing the issuance of a patent in fee to Virginia Pearson.

[Private Law 104]
63 Stat. 1115

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Virginia Pearson, Crow allottee numbered 1328, of Phoenix, Arizona, a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Montana: Lots 1, 2, 3, 4, and the north half of the northeast quarter, and the east half of the west half

Virginia Pearson.

of section 30, township 2 south, range 30 east, Montana principal meridian, containing three hundred eighty-two and twelve one-hundredths acres.

Approved, June 14, 1949.

[CHAPTER 209]

AN ACT

June 14, 1949
[S. 1038]

Authorizing the issuance of a patent in fee to Ethel M. Pearson George.

[Private Law 105]
63 Stat. 1115

Ethel M. Pearson George.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Ethel M. Pearson George, Crow allottee numbered 1330, of Phoenix, Arizona, a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Montana: The east half section 25, and the northeast quarter of section 36, township 2 south, range 29 east, Montana principal meridian, containing four hundred and eighty acres.

Approved, June 14, 1949.

[CHAPTER 210]

AN ACT

June 14, 1949
[S. 1040]

Authorizing the issuance of a patent in fee to Leah L. Pearson Louk.

[Private Law 106]
63 Stat. 1116

Leah L. Pearson Louk.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Leah L. Pearson Louk, Crow allottee numbered 1331, of Phoenix, Arizona, a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Montana: The east half of the southwest quarter, and the southeast quarter of section 24; the northwest quarter of section 25; and the east half of the east half of the northeast quarter, and the east half of the west half of the east half of the northeast quarter of section 26, township 2 south, range 29 east, Montana principal meridian, containing four hundred and sixty acres.

Approved, June 14, 1949.

[CHAPTER 374]

AN ACT

August 1, 1949
[S. 1330]

To authorize the sale of certain allotted inherited land on the Winnebago Reservation, Nebraska.

[Private Law 181]
63 Stat. 1145

Paul Bighead, heirs.
Sale of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to sell the trust allotment numbered 322 of Paul Bighead, deceased Winnebago allottee, described as the northwest quarter of the southwest quarter, section 25, township 26 north, range 6 east, sixth principal meridian, Nebraska, containing forty acres, conveyance to be made by the issuance of a patent in fee to the purchaser and to distribute the proceeds of such sale among the heirs of the said Paul Bighead in accordance with their respective interests: *Provided*, That the Secretary shall deduct from the amount payable under this Act to any such heir a sum equal to the principal and accrued interest on any unpaid loan charged against such heir.

Approved, August 1, 1949.

[CHAPTER 507]

August 24, 1949
[S. 520]

AN ACT

[Private Law 241]
63 Stat. 1167

To authorize and direct the Secretary of the Interior to issue to Leo Farwell Glenn, a Crow allottee, a patent in fee to certain lands.

Leo Farwell Glenn

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Leo Farwell Glenn, Crow allottee numbered 3234, a patent in fee to the following-described lands in the State of Montana: West half west half, section 26; east half east half, east half west east half, east half west half west half east half section 27; north half northeast quarter, north half south half northeast quarter, section 34, township 3 south, range 27 east; and the west half southeast quarter section 30, west half northeast quarter, northwest quarter southeast quarter, lots 6, 7, and 8, section 31, township 4 south, range 27 east, Montana principal meridian, containing eight hundred and eighty acres: *Provided*, That when the land herein described is offered for sale, the Crow tribe, or any Indian who is a member of said tribe, shall have ninety days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Approved, August 24, 1949.

[CHAPTER 509]

August 24, 1949
[S. 1361]

AN ACT

[Private Law 243]
63 Stat. 1168

To authorize and direct the Secretary of the Interior to issue to John Grayeagle a patent in fee to certain land.

John Grayeagle.

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to John Grayeagle of Bullhead, South Dakota, a patent in fee to the following-described lands allotted to him in the State of South Dakota: The southeast quarter of section 23, township 21, range 25; the west half of section 23, township 21, range 25: *Provided*, That when the land herein described is offered for sale, the Standing Rock Sioux Tribe, or any Indian who is a member of said tribe, shall have ninety days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Approved, August 24, 1949.

[CHAPTER 570]

September 7, 1949
[H. R. 2706]

AN ACT

[Private Law 268]
63 Stat. 1178

Authorizing the issuance of a patent in fee to Susie Larvie Dillon.

Susie Larvie Dillon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Susie Larvie Dillon of Box Elder, South Dakota, a patent in fee to the following-described land situated on the Pine Ridge Indian Reservation in the State of South Dakota: Allotment numbered 7053, northwest quarter, section 26, township 42 north, range 37 west, of the sixth principal meridian, South Dakota, containing one hundred and sixty acres: *Provided*, That when the land herein described is offered for sale, the Oglala Sioux Tribe, or any Indian who is a member of said tribe, shall have ninety days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Approved, September 7, 1949.

[CHAPTER 571]

AN ACT

September 7, 1949
[H. R. 2920]

[Private Law 269]
63 Stat. 1178

Authorizing the issuance of a patent in fee to George Swift Horse.

George Swift Horse.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to George Swift Horse, of White Horse, South Dakota, a patent in fee to the following-described land situated on the Cheyenne River Indian Reservation in the State of South Dakota: Allotment numbered 480, southwest quarter, section 29, township 17 north, range 26 east, of the Black Hills principal meridian, South Dakota, containing one hundred and sixty acres: *Provided*, That when the land herein described is offered for sale, the Cheyenne River Sioux Tribe, or any Indian who is a member of said tribe, shall have ninety days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Approved, September 7, 1949.

[CHAPTER 572]

AN ACT

September 7, 1949
[H. R. 3667]

[Private Law 270]
63 Stat. 1178

Authorizing the Secretary of the Interior to issue a patent in fee to Lenora Farwell Fritzler.

Lenora Farwell Fritzler.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Lenora Farwell Fritzler, of Billings, Montana, a patent in fee to the following-described lands on the Crow Indian Reservation, Montana: The northwest quarter, the east half of the southwest quarter, and the west half of the west half of the southeast quarter in section 35; the west half, and the north half of the northeast quarter of section 26; the north half of the northwest quarter of section 25; the south half of the south half of section 23; and the south half of the southwest quarter of section 24, township 5 south, range 37 east, Montana principal meridian, containing one thousand acres: *Provided*, That when the land herein described is offered for sale, the Crow Tribe, or any Indian who is a member of said tribe, shall have ninety days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Approved, Spetember 7, 1949.

[CHAPTER 578]

AN ACT

September 8, 1949
[H. R. 4254]

[Private Law 273]
63 Stat. 1180

Authorizing the Secretary of the Interior to issue a patent in fee to Sidney Blackhair.

Sidney Blackhair.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Sidney Blackhair, of the Crow Indian Reservation, Montana, a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Montana: The southwest quarter of the southwest quarter of section 10, township 2 south, range 33 east, Montana principal meridian, containing forty acres.

Approved, September 8, 1949.

[CHAPTER 590]

AN ACT

October 1, 1949
[H. R. 1976]

[Private Law 279]
63 Stat. 1182

To authorize the sale of certain allotted inherited land on the Flathead Indian Reservation, Montana.

Angelic Michel, estate.
Sale of land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to sell eighty acres of the trust allotment of Angelic Michel, deceased Flathead allottee numbered 894, described as the west half of the northeast quarter of section 13, township 24 north, range 21 west, Montana principal meridian, now owned through inheritance by Joseph Finley and Joseph Martin Finley, for a consideration to be agreed upon between said owners and the purchaser and approved by the Secretary of the Interior and the tribal council of the Consolidated Salish and Kootenai Tribes of the Flathead Reservation, conveyance to be made by the issuance of a patent in fee to the purchaser.

Approved, October 1, 1949.

[CHAPTER 591]

AN ACT

October 1, 1949
[H. R. 3616]

Private Law 280
63 Stat. 1183

Authorizing the issuance of a patent in fee to Lulu Two Spears Iron Bird.

Lulu Two Spears Iron Bird.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Lulu Two Spears Iron Bird, of Cheyenne Agency, South Dakota, a patent in fee to the following-described land situated on the Cheyenne River Indian Reservation in the State of South Dakota: Allotment numbered 254, east half of the southwest quarter, lots 3 and 4, section 7, township 17 north, range 28 east, of the Black Hills principal meridian, South Dakota, containing one hundred and fifty-seven and six one-hundredths acres: *Provided,* That when the land herein described is offered for sale, the Cheyenne River Sioux Tribe, or any Indian who is a member of said tribe, shall have thirty days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Approved, October 1, 1949.

[CHAPTER 592]

AN ACT

October 1, 1949
[H. R. 3886]

[Private Law 281]
63 Stat. 1183

Authorizing the Secretary of the Interior to issue a patent in fee to Jeanette Pearl Burns.

Jeanette Pearl Burns.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Jeanette Pearl Burns, of Hardin, Montana, a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Montana: Lots 1, 2, 3, and 4 and the south half south half section 5, township 6 south, range 38 east, Montana principal meridian, containing two hundred ninety-nine and eight one-hundredths acres: *Provided,* That when the land herein described is offered for sale, the Crow Tribe or any Indian who is a member of said tribe shall have six months in which to exercise preferential rights to purchase said tract of land, at a price offered to the seller by a prospective buyer willing and able to purchase.

Approved, October 1, 1949.

[CHAPTER 715]

AN ACT

October 25, 1949
[S. 76]

To authorize the Secretary of the Interior to convey a certain tract of land in the State of Arizona to Lillian I. Anderson.

[Private Law 338]
63 Stat. 1205

Lillian I. Anderson.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to Lillian I. Anderson, of Valentine, Arizona, without consideration, the following-described tract of land in the Hualapai Indian School Reserve, Mohave County, Arizona: That tract of land, seven hundred and thirty feet long and three hundred feet wide, lying along and ⊥adjacent to the southeasterly boundary line of the Atchison, Topeka, and Santa Fe Railway in the southeast quarter of section 10, township 23 north, range 13 west, Gila and Salt River Meridian, containing five and five one-hundredths acres more or less, which tract is more particularly described as follows: ⊥1206

Beginning at a heavy steel railroad rail embedded in the ground along the southeasterly two hundred foot right-of-way boundary line of the Atchison, Topeka, and Santa Fe Railway, from which, the southeast corner of section 10, township 23 north, range 13 west, Gila and Salt River Meridian, Mohave County, Arizona, bears north thirty-four degrees fifty-five minutes east four thousand two hundred and fifty feet more or less, and from which, the four inches by four inches wood marker for United States 66 Highway station 1406–45A on the northwesterly boundary of the State highway right-of-way bears south seventy-one degrees thirty-seven minutes west, a distance of three hundred seventy and two-tenths feet; thence south twenty-four degrees fifty-eight minutes west along the said southeasterly right-of-way boundary of the Atchison, Topeka, and Santa Fe Railway, a distance of two hundred and ninety feet to a point marked by an iron pipe, and thence two hundred and ninety feet more along this same course being a total of five hundred and eighty feet from the place of beginning to the southwest corner of the parcel of land being described marked by an iron pipe; thence, at right angle to the first course, south sixty-five degrees two minutes east a distance of three hundred feet to the southeast corner of the parcel of land marked by an iron pipe; thence north twenty-four degrees fifty-eight minutes east, and parallel to the first course, a distance of seven hundred and thirty feet to the northeast corner of the parcel of land marked by an iron pipe; thence, north sixty-five degrees two minutes west, a distance of three hundred feet to the northwest corner of the parcel of land marked by an iron pipe, being a point of intersection with the southeasterly boundary of the Atchison, Topeka, and Santa Fe Railway right-of-way; thence south twenty-four degrees fifty-eight minutes west, along the southeasterly right-of-way, a distance of one hundred and fifty feet to the place of beginning.

SEC. 2. The Hualapai Tribe of the Hualapai Reservation, Arizona, acting through its tribal council, is hereby authorized to release to the United States any claim which it may have to the above-described tract of land, or on account of the holding or disposition thereof by the United States. In the absence of such a release, the quitclaim deed provided for in this Act shall not convey any interest in said tract of land which is held by the United States in trust for said tribe, or the disposition of which would prejudice the rights of the United States or said tribe as against each other.

Approved, October 25, 1949.

[CHAPTER 750]

AN ACT

October 26, 1949
[H. R. 5105]

To authorize the sale of certain allotted inherited land on the Pine Ridge Reservation, South Dakota.

[Private Law 347]
63 Stat. 1210

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to sell the trust allotment numbered 645 of Returns Warrior, deceased Pine Ridge allottee, described as the south half of section 2, township 37 north, range 41 west, sixth principal meridian, South Dakota, containing three hundred and twenty acres, conveyance to be made by deed or the issuance of a patent in fee to the purchaser and to disburse the proceeds of such sale to Jessie American Horse for her benefit.

Returns Warrior, estate.
Sale of land.

Approved, October 26, 1949.

CONCURRENT RESOLUTION OF THE EIGHTY-FIRST CONGRESS, FIRST SESSION, 1949

August 4, 1949
[S. Con. Res. 61]
63 Stat. 1246

CERTAIN INDIAN LANDS HELD IN TRUST BY UNITED STATES

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 1323) to declare that the United States holds certain lands in trust for the Pueblo Indians and the Canoncita Navajo group in New Mexico, and for other purposes, the Secretary of the Senate be, and he is hereby, authorized and directed ⊥to strike out the word "Canoncita", where it appears on page 2, line 12, of the Senate engrossed bill and in the title of the bill, respectively, and in lieu thereof insert "Canoncito".

Change in enrollment of bill (S. 1323).
Ante, p. 604.

⊥1247

Agreed to August 4, 1949.

PUBLIC LAWS OF THE EIGHTY-FIRST CONGRESS, SECOND SESSION, 1950–1951

[CHAPTER 59]

AN ACT

March 16, 1950
[S. 576]

To authorize the sale of certain Indian lands situated in Duchesne and Randlett, Utah, and in and adjacent to Myton, Utah.

[Public Law 457]
64 Stat. 19

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Uintah and Ouray Tribal Business Committee of the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah for and on behalf of said tribe is hereby authorized, subject to the approval of the Secretary of the Interior or his authorized representative, to sell and convey to any purchaser deemed satisfactory to said committee any of the lands of said tribe situated within the town-site limits of Duchesne, Randlett, and Myton, Utah, and any of the following-described lands situated adjacent to the town site of Myton, Utah, to wit, the north half of the northwest quarter of section 29; lot 1 and the northeast quarter of the northwest quarter and the northeast quarter of section 30; the southwest quarter of the southwest quarter or lot 4 of section 19, of township 3 south, range 1 west, of the Uintah special meridian. Title shall be conveyed by issuance of patent in fee to the purchaser where approved surveys have been made and, in the absence of such surveys, by deed signed by the chairman and the secretary of said committee and approved by the Secretary of the Interior or his authorized representative.

Ute Indian Tribe, Utah.
Sale of lands.

All such sales shall be made upon such terms as said committee shall deem satisfactory and may be made pursuant to bids or at private sale and all funds derived from such sales shall be subject to disposition of said tribe. Consent by the tribal business committee to

the sale or other disposal of the lands herein described shall relieve the United States of any claim or liability because of such sale or other disposition.

Approved, March 16, 1950.

[CHAPTER 73]

AN ACT

March 21, 1950
[S. 3159]

Granting the consent and approval of Congress to a compact entered into by the States of Idaho and Wyoming relating to the waters of the Snake River.

[Private Law 464]
64 Stat. 29

Snake River compact.
Consent and approval of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent and approval of Congress is hereby given to an interstate compact relating to the waters of the Snake River, signed (after negotiations in which a representative of the United States duly appointed by the President participated) by the Commissioners for the States of Idaho and Wyoming on October 10, 1949, at Cheyenne, Wyoming, and thereafter ratified by the legislatures of each of the States aforesaid as provided for by Public Law 580, Eightieth Congress, approved June 3, 1948 (62 Stat. 294), which compact reads as follows:

SNAKE RIVER COMPACT

The States of Idaho and Wyoming, parties signatory to this compact, have resolved to conclude a compact as authorized by the Act of June 3, 1948 (62 Stat. 294), and after negotiations participated in by the following named State commissioners:

FOR IDAHO

Mark R. Kulp, Boise
N. V. Sharp, Filer
Charles H. Welteroth, Jerome
Roy Marquess, Paul
Ival V. Goslin, Aberdeen
R. Willis Walker, Rexburg
Alex O. Coleman, St. Anthony
Leonard E. Graham, Rigby
Charles E. Anderson, Idaho Falls
A. K. Van Orden, Blackfoot

FOR WYOMING

L. C. Bishop, Cheyenne
E. B. Hitchcock, Rock Springs
J. G. Imeson, Jackson
David P. Miller, Rock Springs
Carl Robinson, Afton
Ciril D. Cranney, Afton
Clifford P. Hansen, Jackson
Clifford S. Wilson, Driggs, Idaho
Lloyd Van Deburg, Jackson

and by R. J. Newell, representative of the United States of America, have agreed upon the following articles, to-wit:

* * *

ARTICLE XIV

⊥134

A. Nothing in this compact shall be deemed:

1. To affect adversely any rights to the use of the waters of the Snake River, including its tributaries entering downstream from the Wyoming-Idaho state line, owned by or for Indians, Indian tribes and their reservations. The water required to satisfy these

rights shall be charged against the allocation made to the State in which the Indians and their lands are located.

2. To impair or affect any rights or powers of the United States, its agencies or instrumentalities, in and to the use of the waters of the Snake River nor its capacity to acquire rights in and to the use of said waters.

3. To apply to any waters within the Yellowstone National Park or Grand Teton National Park.

4. To subject any property of the United States, its agencies or instrumentalities to taxation by either State or subdivisions thereof, nor to create an obligation on the part of the United States, its agents or instrumentalities, by reason of the acquisition, construction or operation of any property or works of whatsoever kind, to make any payments to any State or political subdivisions thereof, State agency, municipality or entity whatsoever in reimbursement for the loss of taxes.

5. To subject any works of the United States used in connection with the control or use of waters which are the subject of this compact to the laws of any State to an extent other than the extent to which these laws would apply without regard to this compact.

B. Notwithstanding the provisions of A of this article, any beneficial uses hereafter made by the United States, or those acting by or under its authority, within either State, of the waters allocated by this compact shall be within the allocations hereinabove made for use in that State and shall be taken into account in determining the extent of use within that State.

* * *

Approved, March 21, 1950.

[CHAPTER 77]

AN ACT

March 27, 1950
[H. R. 720]

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1950, and for other purposes.

[Public Law 468]
64 Stat. 37

Urgent Deficiency Appropriation Act, 1950

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1950, and for other purposes, namely:

* * *

138 DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

WELFARE OF INDIANS

* * *

For an additional amount for "Welfare of Indians", $803,000.

* * *

Approved, March 27, 1950.

[CHAPTER 92]

AN ACT

April 19, 1950
[S. 2734]

To promote the rehabilitation of the Navajo and Hopi Tribes of Indians and a better utilization of the resources of the Navajo and Hopi Indian Reservations, and for other purposes.

[Public Law 474]
64 Stat. 44

Navajo and Hopi Tribes Rehabilitation, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to further the purposes of existing treaties with the Navajo Indians, to

provide facilities, employment, and services essential in combating hunger, disease, proverty, and demoralization among the members of the Navajo and Hopi Tribes, to make available the resources of their reservations for use in promoting a self-supporting economy and self-reliant communities, and to lay a stable foundation on which these Indians can engage in diversified economic activities and utimately attain standards of living comparable with those enjoyed by other citizens, the Secretary of the Interior is hereby authorized and directed to undertake within the limits of the funds from time to time appropriated pursuant to this Act, a program of basic improvements for the conservation and development of the resources of the Navajo and Hopi Indians, the more productive employment of their manpower, and the supplying of means to be used in their rehabilitation, whether on or off the Navajo and Hopi Indian Reservations. Such program shall include the following projects for which capital expenditures in the amount shown after each project listed in the [1]following subsections and totaling $88,570,000 are hereby authorized to be appropriated:

Appropriations authorized

[1] So.

Projects.

(1) Soil and water conservation and range improvement work, $10,000,000.

(2) Completion and extension of existing irrigation projects, and completion of the investigation to determine the feasibility of the proposed San Juan-Shiprock irrigation project, $9,000,000.

(3) Surveys and studies of timber, coal, mineral, and other physical and human resources, $500,000.

(4) Development of industrial and business enterprises, $1,000,000.

(5) Development of opportunities for off-reservation employment and resettlement and assistance in adjustments related thereto, $3,500,000.

(6) Relocation and resettlement of Navajo and Hopi Indians (Colorado River Indian Reservation), $5,750,000.

(7) Roads and trails, $20,000,000.

(8) Telephone and radio communication systems, $250,000.

(9) Agency, institutional, and domestic water supply, $2,500,000.

(10) Establishment of a revolving loan fund, $5,000,000.

(11) Hospital buildings and equipment, and other health conservation measures, $4,750,000.

(12) School buildings and equipment, and other educational measures, $25,000,000.

(13) Housing and necessary facilities and equipment, $820,000.

(14) Common service facilities, $500,000.

Funds so appropriated shall be available for administration, investigations, plans, construction, and all other objects necessary for or appropriate to the carrying out of the provisions of this Act. Such further sums as may be necessary for or appropriate to the annual operation and maintenance of the projects herein enumerated are hereby also authorized to be appropriated. Funds appropriated under these authorizations shall be in addition to funds made available for use on the Navajo and Hopi Reservations, or with respect to Indians of the Navajo Tribes, out of appropriations heretofore or hereafter granted for the benefit, care, or assistance of Indians in general, or made pursuant to other authorizations now in effect.

Additional sums authorized

SEC. 2. The foregoing program shall be administered in accordance with the provisions of this Act and existing laws relating to Indian affairs, shall include such facilities and services as are requisite for or incidental to the effectuation of the projects herein enumerated, shall apply sustained-yield principles to the administration of all renewable resources, and shall be prosecuted in a manner which will provide for completion of the program, so far as practicable, within ten years from the date of the enactment of this Act. An account of the progress being had in the rehabilitation of the Navajo and Hopi Indians, and of

Administration.

Completion date.

Report to Congress.

the use made of the funds appropriated to that end under this Act, shall be included in each annual report of the work of the Department of the Interior submitted to the Congress during the period covered by the foregoing program.

Employment of Indian workers

SEC. 3. Navajo and Hopi Indians shall be given, whenever practicable, preference in employment on all projects undertaken pursuant to this Act, and, in furtherance of this policy, may be given employment on such projects without regard to the provisions of the civil-service and classification laws. To the fullest extent possible, Indian workers on such projects shall receive on-the-job training in order to enable them to become qualified for more skilled employment.

Loans.

SEC. 4. The Secretary of the Interior is authorized, under such regulations as he may prescribe, to make loans from the loan fund authorized by section 1 hereof to the Navajo Tribe, or any member or association of members thereof, or to the Hopi Tribe, or any member or ⊥association of members thereof, for such productive purposes as, in his judgment, will tend to promote the better utilization of the manpower and resources of the Navajo or Hopi Indians. Sums collected in repayment of such loans and sums collected as interest or other charges thereon shall be credited to the loan fund, and shall be available for the purpose for which the fund was established.

⊥46

Leases of restricted lands

SEC. 5. Any restricted Indian lands owned by the Navajo Tribe, members thereof, or associations of such members, or by the Hopi Tribe, members thereof, or associations of such members, may be leased by the Indian owners, with the approval of the Secretary of the Interior, for public, religious, educational, recreational, or business purposes, including the development or utilization of natural resources in connection with operations under such leases. All leases so granted shall be for a term of not to exceed twenty-five years, but may include provisions authorizing their renewal for an additional term of not to exceed twenty-five years, and shall be made under such regulations as may be prescribed by the Secretary. Restricted allotments of deceased Indians may be leased under this section, for the benefit of their heirs or devisees, in the circumstances and by the persons prescribed in the Act of July 8, 1940 (54 Stat. 745; 25 U. S. C., 1946 edition, sec. 380). Nothing contained in this section shall be construed to repeal or affect any authority to lease restricted Indian lands conferred by or pursuant to any other provision of law.

Navajo tribal constitution

SEC. 6. In order to facilitate the fullest possible participation by the Navajo Tribe in the program authorized by this Act, the members of the tribe shall have the right to adopt a tribal constitution in the manner herein prescribed. Such constitution may provide for the exercise by the Navajo Tribe of any powers vested in the tribe or any organ thereof by existing law, together with such additional powers as the members of the tribe may, with the approval of the Secretary of the Interior, deem proper to include therein. Such constitution shall be formulated by the Navajo Tribal Council at any regular meeting, distributed in printed form to the Navajo people for consideration, and adopted by secret ballot of the adult members of the Navajo Tribe in an election held under such regulations as the Secretary may prescribe, at which a majority of the qualified votes cast favor such adoption. The constitution shall authorize the fullest possible participation of the Navajos in the administration of their affairs as approved by the Secretary of the Interior and shall become effective when approved by the Secretary. The constitution may be amended from time to time in the same manner as herein provided for its adoption, and the Secretary of the Interior shall approve any amendment which in the opinion of the Secretary of the Interior advances the development of the Navajo people toward the fullest realization and exercise of the rights, privileges, duties, and responsibilities of American citizenship.

Availability of Navajo tribal funds

SEC. 7. Notwithstanding any other provision of existing law, the tribal funds now on deposit or hereafter placed to the credit of the Navajo Tribe of Indians in the United States Treasury shall be available for such purposes as may be designated by the Navajo Tribal Council and approved by the Secretary of the Interior.

Tribal council recommendations, etc.

SEC. 8. The Tribal Councils of the Navajo and Hopi Tribes and the Indian communities affected shall be kept informed and afforded opportunity to consider from their inception plans pertaining to the program authorized by this Act. In the administration of the program, the Secretary of the Interior shall consider the recommendations of the tribal councils and shall follow such recommendations whenever he deems them feasible and consistent with the objectives of this Act.

Payments to States under Social Security Act

49 Stat. 621, 628, 646; 42 U. S. C., Supp. III, §§ 303(a), 603(a), 1203 (a).

Post, pp. 548, 550, 553.

⊥SEC. 9. Beginning with the quarter commencing July 1, 1950, the Secretary of the Treasury shall pay quarterly to each State (from sums made available for making payments to the States under sections 3 (a), 403 (a), and 1003 (a) of the Social Security Act) an amount, in addition to the amounts prescribed to be paid to such State under such sections, equal to 80 per centum of the total amounts of contributions by the State toward expenditures during the preceding quarter by the State, under the State plans approved under the Social Security Act for old age assistance, aid to dependent children, and aid to the needy blind, to Navajo and Hopi Indians residing within the boundaries of the State on reservations or on allotted or trust lands, with respect to whom payments are made to the State by the United States under section 3 (a), 403 (a), and 1003 (a), respectively, of the Social Security Act, not counting so much of such expenditure to any individual for any month as exceeds the limitations prescribed in such sections.

Joint Committee on Navajo-Hopi Indian Administration

SEC. 10. (a) There is hereby established a joint congressional committee to be known as the Joint Committee on Navajo-Hopi Indian Administration (hereinafter referred to as the "committee"), to be composed of three members of the Committee on Interior and Insular Affairs of the Senate to be appointed by the President of the Senate, not more than two of whom shall be from the same political party, and three members of the Committee on Public Lands of the House of Representatives to be appointed by the Speaker of the House of Representatives, not more than two of whom shall be from the same political party. A vacancy in the membership of the committee shall be filled in the same manner as the original selection. The committee shall elect a chairman from among its members.

Function

(b) It shall be the function of the committee to make a continuous study of the programs for the administration and rehabilitation of the Navajo and Hopi Indians, and to review the progress achieved in the execution of such programs. Upon request, the committee shall aid the several standing committees of the Congress having legislative jurisdiction over any part of such programs, and shall make a report to the Senate and the House of Representatives, from time to time, concerning the results of its studies, together with such recommendations as it may deem desirable. The Commissioner of Indian Affairs at the request of the committee, shall consult with the committee from time to time with respect to his activities under this Act.

Powers

(c) The committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The provisions of sections 102 to 104, inclusive, of the Revised Statutes shall apply in

2 U. S. C. §§ 192–194.

case of any failure of any witness to comply with any subpena or to testify when summoned under atuhority of this subsection.

Appointment and compensation of experts, etc.
42 Stat. 1488; 63 Stat. 972, 954.
5 U. S. C., Sup. III, §§ 1071–1153.
Post, pp. 232, 262, 1100.

(d) The committee is authorized to appoint and, without regard to the Classification Act of 1923, as amended, fix the compensation of such experts, consultants, technicians, and organizations thereof, and clerical and stenographic assistants as it deems necessary and advisable.

Appropriation authorized.

(e) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman.

Approved, April 19, 1950.

April 28, 1950
[H. R. 4070]
[Public Law 488]
64 Stat. 91

[CHAPTER 124]

AN ACT

To cancel drainage charges against certain lands within the Unitah Indian irrigation project, Utah.

Uintah irrigation project, Utah.
Cancellation of drainage charges.
25 U. S. C. §§ 389–389e.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the action of the Secretary of the Interior by order dated October 15, 1943, taken pursuant to the authority contained in the Act of June 22, 1936 (49 Stat. 1803), in canceling $23,090.62 of irrigation drainage charges due the United States against three thousand one hundred and twenty
192 and five one-hundredths acres of non-Indian-owned land within the Uintah irrigation project, Utah, is hereby approved, and the Secretary of the Interior is directed to take any necessary action to remove from the records the landowners' obligations so canceled.

Approved, April 28, 1950.

May 24, 1950
[H. R. 1354]
[Public Law 524]
64 Stat. 189

[CHAPTER 196]

AN ACT

To provide for a per capita payment from funds in the Treasury of the United States to the credit of the Indians of California.

Indians of California

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asembled, That section 7 of the Act of May 18, 1928 (45 Stat. 602), as amended by the Act of April 29, 1930 (46 Stat. 259), and by the Act of June 30, 1948 (62 Stat. 1166), is hereby further amended to read as follows:

Revision of roll

"SEC. 7. The Secretary of the Interior, under such regulations as he may prescribe, is hereby authorized and directed to revise the roll of the Indians of California, as defined in section 1 of this Act, which was approved by him on May 16, 1933, in the following particulars: (a) By adding to said roll the names of persons who filed applications for enrollment as Indians of California on or before May 18, 1932, and who, although determined to be descendants of the Indians residing in the State of California on June 1, 1852, were denied enrollment solely on the ground that they were not living in the State of California on May 18, 1928, and who were alive on the date of the approval of this Act; (b) by adding to said roll the names of persons who are descendants of the Indians residing in the State of California on June 1, 1852, and who are the fathers, mothers, brothers, sisters, uncles, or aunts of persons whose names appear on said roll, and who were alive on the date of the approval of this Act, irrespective of whether such fathers, mothers, brothers, sisters, uncles, or aunts were living in the State of California on May 18, 1928; (c) by adding to said roll the names of persons born since May 18, 1928, and living on the date of the approval of this Act, who are the children or other descendants of persons whose names appear on said roll, or of persons whose names are

eligible for addition to said roll under clauses (a) or (b) of this section, or of persons dying prior to the date of the approval of this Act, whose names would have been eligible for addition to said roll under clauses (a) and (b) of this section if such persons had been alive on the date of the approval of this Act; and (d) by removing from said roll the names of persons who have died since May 18, 1928, and prior to the date of the approval of this Act. Persons entitled to enrollment under clause (a) of this section shall be enrolled by the Secretary of the Interior without further application. Persons claiming to be entitled to enrollment under clauses (b) or (c) of this section shall, within one year after the approval of this amendment, make an application in writing to the Secretary of the Interior for enrollment, unless they have previsously filed such an application under the amendment to this section made by the Act of June 30, 1948 (62 Stat. 1166). The Secretary of the Interior shall prepare not less than five hundred copies of an alphabetical list of the Indians of California whose names appear on the roll approved on May 16, 1933, giving the name, address, and age at time of enrollment of each such enrollee, together with such other factual information, if any, as the Secretary ⊥may deem advisable as tending 1190
to identify each enrollee, and shall distribute copies of this list to the various communities of California Indians. The Indians of California in each community may elect a committee of three enrollees who may aid the enrolling agent in any matters relating to the revision of said roll. After the expiration of the period allowed by this section for filing applications, the Secretary of the Interior shall have six months to approve and promulgate the revised roll of the Indians of California provided for in this section. Upon such approval and promulgation, the roll shall be closed and thereafter no additional names shall be added thereto."

Per capita payments

SEC. 2. Notwithstanding the provisions of section 6 of the Act of May 18, 1928 (45 Stat. 602), the Secretary of the Interior, under such regulations as he may prescribe, is hereby authorized and directed to distribute per capita the sum of $150 to each Indian of California living on the date of the approval of this Act, who is now or may hereafter be enrolled under sections 1 and 7 of said Act of May 18, 1928, as amended by section 1 of this Act. The Secretary of the Interior may, in his discretion, make such distribution from time to time to persons on the roll of the Indians of Califonria approved on May 16, 1933, as he identifies such enrolless, before the completion of the revised roll provided for in section 1 of this Act. The Secretary of the Interior is hereby authorized to withdraw from the fund on deposit in the Treasury of the United States arising from the judgment in favor of the Indians of California entered by the Court of Claims on December 4, 1944, and appropriated for them by section 203 of the Act of April 25, 1945 (59 Stat. 77), such sums as may be necessary to make the per capita payments required by this section, including not to exceed $15,000 for the purpose of defraying the expenses incident to carrying out the provisions of this Act. Such payments shall be made out of the accumulated interest on such judgment fund and so much of the principal thereof as is necessary to complete the payments. The money paid to enrollees pursuant to this section shall not be subject to any lien or claim of any nature against any of such persons, except for debts owing to the United States.

Withdrawal of funds authorized

59 Stat. 94.

Approved, May 24, 1950.

[CHAPTER 197]

AN ACT

May 24, 1950
[H. R. 5097]

For the administration of Indian livestock loans, and for other purposes.

[Public Law 525]
64 Stat. 190

Be it enacted by the Senate and House of Representatives of the

Livestock loaned to Indians.

Value of livestock

United States of America in Congress assembled, That all acceptances of cash settlements by the Commissioner of Indian Affairs for livestock lent by the United States to any individual Indian, or to any tribe, association, corporation, or other group of Indians, and all sales and relending of livestock repaid in kind to the United States on account of such loans are hereby authorized and ratified: *Provided,* That hereafter the value of such livestock for the purposes of any such cash settlement shall be based on prevailing market prices in the area and shall be ascertained by a committee composed of three members, one of whom shall be selected by the superintendent of the particular agency, one of whom shall be selected by the chairman of the tribal council, and one of whom shall be selected by the other two members.

Deposit of receipts

SEC. 2. Any moneys hereafter received in settlement of such debts or from the sale of livestock so repaid to the United States shall be deposited in the revolving fund established pursuant to the Acts of June 18, 1934 (48 Stat. 984), and June 26, 1936 (49 Stat. 1967), as amended and supplemented.

25 U. S. C. §§ 461–479, 501–509; Sup. III, §§ 502, 505.

Approved, May 24, 1950.

[CHAPTER 201]

May 25, 1950
[H. R. 8199]

AN ACT

[Public Law 528]
64 Stat. 192

To amend certain provisions of the Act of May 25, 1948 (Public Law 554, Eightieth Congress), relating to the Flathead Indian irrigation project.

Flathead Indian irrigation project.

62 Stat. 269

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the repayment adjustments and other provisions of sections 1 and 2 of the Act of May 25, 1948 (Public Law 554, Eightieth Congress), providing for the adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes, shall be effective as to lands included in any irrigation district which has or which shall have entered into a contract conforming to the provisions of said Act on or before May 25, 1951. Said Act as herein amended shall not be deemed or defer the repayment obligations provided for in existing contracts between the Secretary of the Interior and any irrigation district on the Flathead Indian irrigation project which has not entered into a repayment contract conforming to the provisions of the Act of May 25, 1948, as herein amended, unless and until such district shall have entered into such a contract: *Provided,* That the appropriation authorizations of said Act shall be effective, and moneys appropriated thereunder shall be available for expenditure, when an irrigation district or districts containing not less than 70 per centum ⊥of the irrigable acreage of the non-Indian lands within the Flathead Indian irrigation project shall have entered into repayment contracts under said Act.

Availability of appropriations

⊥193

Approved, May 25, 1950.

[CHAPTER 248]

June 15, 1950
[S. 1719]

AN ACT

[Public Law 548]
64 Stat. 215

To amend section 3 of the Act of Congress approved June 28, 1906, relating to the Osage Indians of Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of Congress approved June 28, 1906 (34 Stat. 539, 543), is amended by striking out "President of the United States" and substituting in lieu thereof "Osage Tribal Council, subject to the approval of the Secretary of the Interior".

Approved, June 15, 1950.

[CHAPTER 264]

AN ACT

June 16, 1950
[H. R. 4509]

To amend the Act of February 25, 1920 (41 Stat. 452), and for other purposes.

[Public Law 557]
64 Stat. 229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second proviso of the Act entitled "An Act for the relief of certain members of the Flathead Nation of Indians, and for other purposes", approved February 25, 1920 (41 Stat. 452), is amended by striking out "when the merchantable timber has been cut from any lands allotted hereunder" and substituting in lieu thereof "when the first cutting of merchantable timber from any lands allotted hereunder has been completed".

Flathead Reservation.
Cutting of timber.

SEC. 2. The right heretofore reserved to the United States in any of the patents for allotments issued under the provisions of said Act of February 25, 1920 (41 Stat. 452), to cut and market timber for the benefit of the Confederated Salish and Kootenai Tribes of the Flathead Reservation shall be limited to the cutting of so much of the merchantable timber on such allotments as may be cut during the first cutting operations on such allotments, and when such cutting operations have been completed, the title to the residual timber on such allotments shall thereupon pass to the respective allottees or their heirs or devisees.

Approved, June 16, 1950.

[CHAPTER 320]

AN ACT

June 20, 1950
[H. R. 5556]

To make available for Indian use certain surplus property at the Wingate Ordnance Depot, New Mexico.

[Public Law 567]
64 Stat. 248

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is hereby authorized and directed to transfer to the Department of the Interior, for use by the Bureau of Indian Affairs, that portion of the Fort Wingate Military Reservation, New Mexico, comprising approximately thirteen thousand one hundred and fifty acres, heretofore determined to be surplus to the requirements of the Department of the Army. Title to the land so transferred shall remain in the United States for the use of the Bureau of Indian Affairs.

Fort Wingate Military Reservation, N. Mex.
Transfer of surplus land.

SEC. 2. All contractual rights and all property, right, title, and interest of the United States in and with respect to structures and improvements in Veterans Temporary Housing Project NM–VN–29166, located on land of the Navajo Tribe of Indians, and known as Wingate Navajo Village, Gallup, New Mexico, are hereby relinquished and transferred to the Navajo Tribe of Indians. After the date of enactment of this Act, the provisions of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940 (54 Stat. 1125), as amended, shall not apply to said temporary housing project.

Wingate Navajo Village, N. Mex.
Transfer of property.

42 U. S. C. ch. 9, note; §§ 1521-1574; Sup. III, § 1521 *et seq.*

Post, pp. 59, 72, 73.

Approved, June 20, 1950.

[CHAPTER 405]

AN ACT

June 29, 1950
[H. R. 8567]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1950, and for other purposes.

[Public Law 583]
64 Stat. 275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1950, and for other purposes, namely:

Deficiency Appropriation Act, 1950.

Ante, pp. 37, 193.

* * *

1284
63 Stat. 765.

⊥CHAPTER VII—DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

SUPPRESSING FOREST AND RANGE FIRES

For an additional amount for "Suppressing forest and range fires", $125,000.

* * *

⊥CHAPTER XII—INCREASED PAY AND TRAVEL COSTS

1289

For additional amounts for appropriations for the fiscal year 1950, to meet increased travel expenses incurred pursuant to Public Law 92, Eighty-first Congress, and increased pay costs authorized by Public Laws 151, 160, 191, 208, 308, 349, 351, 359, 368, 428, 429, 430, 431, 432, and 435, Eighty-first Congress, and comparable pay increases granted by administrative action pursuant to law, as follows:

63 Stat. 166.
5 U. S. C., Sup. III, §§ 835–842.
Ante, p. 89.
63 Stat. 376, 407, 482, 565, 698, 764, 802, 880, 887, 952, 954, 973, 984, 1026.

* * *

1295

⊥DEPARTMENT OF THE INTERIOR

* * *

Bureau of Indian Affairs:
"Salaries and expenses, field administration", $55,000;
"Maintaining law and order among Indians", $37,000;
"Alaska native service", $75,000;
Navajo and Hopi service: "Agency services", $120,000;
"Maintenance of buildings and utilities", $4,500;
"Education of Indians", $225,000;
"Conservation of health", $140,000;
"Management, Indian forest and range resources", $15,000;
"Agriculture and stock raising", $13,000;
"Support of Klamath agency, Oregon" (from tribal funds, $4,000);
1296 ⊥"Support of Menominee agency and pay of tribal officers, Wisconsin (from tribal funds, $1,500);
"Support of Osage agency and pay of tribal officers, Oklahoma" (from tribal funds, $5,600);

* * *

Approved, June 29, 1950.

[CHAPTER 410]

June 29, 1950
[H. R. Res. 492]
[Public Law 585]
64 Stat. 302

JOINT RESOLUTION

Making temporary appropriations for the fiscal year 1951, and for other purposes.

Temporary appropriations, 1951.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units in each branch of the Government—

* * *

(c) Such amounts as may be necessary for the carrying out, at a rate not in excess of that which obtained in the last quarter of the fiscal year 1950, or that provided for in the Budget estimates for 1951, whichever is lower, for projects and activities under applicable appropriations as follows:

* * *

Department of the Interior:

* * *

Indians of California;
National Indian Institute.

* * *

Approved, June 29, 1950.

[CHAPTER 463]

AN ACT

July 18, 1950
[S. 2086]

[Public Law 612]
64 Stat. 342

Transferring management of certain public lands from the Agriculture Department to the Fort Sill Indian School in Oklahoma for agriculture uses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described tract of public land: The north half of the south half of section 19, township 2 north, range 11 west, Indian meridian, Comanche County, Oklahoma, being a part of the Fort Sill Indian ⊥School reserve, and formerly transferred to the Department of Agriculture for use as a dry-farming experimental station, is hereby, together with all buildings, improvements, and appurtenances, transferred back to the said Fort Sill Indian School for use in connection with the agriculture training program of such institution.

Fort Sill Indian School, Okla.
Transfer of lands, etc.

⊥343

Approved, July 18, 1950.

[CHAPTER 560]

AN ACT

August 4, 1950
[H. R. 6247]

[Public Law 658]
64 Stat. 411

Authorizing transfer of land and improvements thereon by the Secretary of the Interior to New Mexico State Fair.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Interior be, and he is hereby, authorized to convey, without the payment of any funds, to New Mexico State Fair, a body corporate of the State of New Mexico, the land with improvements thereon which New Mexico State Fair conveyed to United States for use as an Indian exhibit building within the New Mexico State Fair grounds by deed dated July 14, 1938: *Provided, however*, That in any conveyance made by the Secretary of the Interior he may incorporate therein such terms and conditions with respect to continued use of said premises or any part thereof by the Bureau of Indian Affairs as the Secretary of the Interior may deem necessary or desirable.

New Mexico State Fair.
Conveyance.

Approved, August 4, 1950.

[CHAPTER 644]

AN ACT

August 8, 1950
[H. R. 2196]

[Public Law 671]
64 Stat. 418

To authorize the elimination of lands from the Flathead Indian irrigation project, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to eliminate from the Flathead Indian irrigation project, on application by the owner thereof, twelve acres, more or less, of land in the northwest quarter of northwest quarter of section 6, township 21 north, range 23 west, of the Montana meridian: *Provided*, That the landowner shall pay all accrued irrigation charges heretofore assessed against the land and relinquish the water right to the United States for the benefit of the Flathead irrigation project, and no further charges shall be assessed against the land: *Provided further*, That the obligations of the Flathead irrigation district for the repayment of the reimbursable construction costs of the Camas division of the Flathead Indian irrigation project shall not

Flathead Indian irrigation project.
Elimination of designated land.

be reduced or otherwise affected by reason of the elimination of the land, and such elimination shall not be made until the Board of Commissioners of that district has consented thereto: *And provided further*, That, notwithstanding the elimination of said land from the Flathead irrigation project, there shall be reserved to the United States a right-of-way for ditches and canals now or hereafter needed for the operation and maintenance of the project works, and the owner of said land shall release the United States and its assigns from all liability for damage to said land by reason of the operations of the project.

Approved, August 8, 1950.

[CHAPTER 707]

AN ACT

August 14, 1950
[H. R. 4942]

[Public Law 690]
64 Stat. 442

To regulate the collection and disbursement of moneys realized from leases made by the Seneca Nation of Indians of New York, and for other purposes.

Seneca Nation of Indians, N. Y.
Funds from leases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all moneys of the Seneca Nation of Indians of New York realized from existing leases, or leases that may hereafter be made, of lands within the Cattaraugus, Allegany, and Oil Springs Reservations shall be paid to and recoverable by the treasurer of the Seneca Nation of Indians for and in the name of the Seneca Nation of Indians: *Provided*, That the city of Salamanca may, if authorized by the laws of the State of New York, pay to the treasurer of the Seneca Nation all moneys payable on leases within the city of Salamanca on behalf of the owners of such leases: *Provided further*, That nothing herein contained shall be contrued to authorize the city of Salamanca to grant new leases, or to modify, change, or alter existing leases, except with the consent of the Seneca Nation and upon terms agreeable to the Seneca Nation, such consent and such agreement to be obtained from such officer or agency of the Seneca Nation as may be duly authorized by the Seneca Nation to give such consent or arrive at such agreement.

SEC. 2. Nothing in this Act shall be constued as waiving the rights or title of the Seneca Nation to the lands referred to in the first section of this Act, nor shall such rights or title be abridged except as may be hereafter provided by the United States in full consideration of the rights of the Seneca Nation.

Distribution, etc., of funds.

SEC. 3. From the money so received, the treasurer of the Seneca Nation shall, annually on the first Monday in June, deduct and set aside a sum not to exceed $5,000 for disposal by the council of the Seneca Nation, and distribute the balance among the enrolled members of the Seneca Nation on a per capita basis. The council of the Seneca Nation shall keep complete and detailed record of all payments and disbursements from the sum so set aside, and shall make such records available for inspection by members of the Seneca Nation at all reasonable times.

Bond.

SEC. 4. The treasurer of the Seneca Nation shall give bond to the Seneca Nation, conditioned upon his faithful performance of the duties herein imposed, in such sum as may be approved by the Comptroller of the State of New York, and the treasurer of the Seneca Nation shall, annually on the first Monday in July, make a report to the Comptroller showing the receipts and disbursements of all moneys received by him under authority of this Act, and shall transmit a copy of this report to the council of the Seneca Nation and shall make a copy available for inspection by members of the Seneca Nation at all reasonable times.

Report to Comptroller.

Additional authority to lease lands.

SEC. 5. In addition to the authority now conferred by law on the Seneca Nation of Indians to lease lands within the Cattaraugus,

Allegany, and Oil Springs Reservations to railroads and to lease lands within the limits of the villages established under authority of the ⊥Act of February 19, 1875 (18 Stat. 330), Seneca Nation of Indians, ⊥443
through its council, is authorized to lease lands within the Cattaraugus, Allegany, and Oil Springs Reservations, outside the limits of such villages, for such purposes and such periods as may be permitted by the laws of the State of New York.

Copies of official records

SEC. 6. The Secretary of the Interior is directed to give to the State of New York or to any authorized agency thereof or to the proper officials of the several tribes copies of official records required by the State, or by any authorized agency thereof or by the officials of the several tribes, to carry out the purposes of this Act or other purposes which, in the discretion of the Secretary of the Interior, are in the interests of the welfare of the Indians of New York State: *Provided*, That copies as are given to the State of New York or to any authorized agency thereof shall be available for inspection at all reasonable times by duly authorized representatives of such tribes or of the Six Nations of New York.

SEC. 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved, August 14, 1950.

[CHAPTER 732]

AN ACT

August 17, 1950
[H. R. 7431]

For expenditure of funds for cooperating with the public school board at Walker, Minnesota, for the extension of public-school facilities to be available to all Indian children in the district, and for other purposes.

[Public Law 709
64 Stat. 459

Walker, Minn.
Appropriation authorized for school facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, an additional sum of $80,000 to be available to the Secretary of the Interior for the purpose of cooperating with Independent School District Numbered 5, Cass County, Minnesota, at Walker, Minnesota, for the construction, extension, equipment, and improvement of public school facilities at Walker, Minnesota, as authorized by the Act of July 1, 1940 (54 Stat. 707, 708), and the Act of July 24, 1947 (61 Stat. 414): *Provided*, That in consideration of the amount heretofore appropriated and the amount which may be appropriated to carry out the provisions of this section, all Indian children residing in such district shall be admitted to the schools of the district without further cost to the United States for instructional, operation, and maintenance purposes.

Approved, August 17, 1950.

[CHAPTER 753]

AN ACT

August 18, 1950
[H. R. 8144]

To authorize the sale of a small tract of land at Great Falls, Montana.

[Public Law 714]
64 Stat. 463

Great Falls Subsistence Homestead Sale.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized to sell, after advertising, to the highest bidder, a tract of land or any part thereof, at not less than the appraised value thereof, known as the Great Falls Subsistence Homestead acquired in 1935 under authority of section 208 of title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), for the benefit of certain landless Indians in the vicinity of Great Falls, and which is more particularly described as all of block 11, all of block 12, all of block 14, lots 1, 2, 3, 4, 5, 6, and 7 of block 15, and lots 1, 2, and 3 of block 22 of the Sun River Park addition to Great Falls, being

48 Stat. 205.
40 U. S. C. § 408.

part of section 9, township 20 north, range 3 east, containing forty-two and sixty-two one-hundredths acres, more or less. Conveyance shall be made to the purchaser either by patent in fee or by an appropriate deed executed by the Secretary of the Interior or his authorized representative. The proceeds from the sale of this tract shall be used to acquire land or interests in land in the vicinity of the Rocky Boy's Reservation, Montana, which when purchased shall become a part of the reservation.

Approved, August 18, 1950.

[CHAPTER 778]

August 23, 1950
[H.R. 2121]
[Public Law 727]
64 Stat. 470

AN ACT

To direct the Secretary of the Interior to convey abandoned school properties in the Territory of Alaska to local school officials.

Alaska
Conveyance of certain school properties

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to convey to local town or city officials or to school authorities in the Territory of Alaska, all the right, title, and interest of the United States in and to any parcel or tract of land and the improvements thereon for school or other public purposes whenever he shall determine that such land and improvements are no longer required by the Alaska Native Service for school purposes: *Provided*, That any conveyance made pursuant to this Act shall be subject to all valid existing rights and claims, shall reserve to the United States all mineral deposits in the lands and the right to prospect for and remove the deposits under such rules and regulations as the Secretary of the Interior may prescribe, and shall provide that the lands and improvements conveyed shall be used for school or other public purposes only and that the school facilities maintained thereon or therein shall be available to all of the native children of the town, city, or other school district concerned on the same terms as to other children of such town, city, or district. The Secretary of the Interior, if at any time he determines that the grantee of any such lands and improvements has violated or failed to observe the foregoing provisions and that such violation or failure has continued for a period of at least one year, may declare a forfeiture of the grant. Such determination by the Secretary shall be final, and thereupon the lands and improvements covered thereby shall revert to the United States and become a part of the public domain subject to administration and disposal under the public land laws.

Approved, August 23, 1950.

[CHAPTER 780]

August 25, 1950
[H. R. 4584]
[Public Law 728]
64 Stat. 470

AN ACT

To provide for disposition of lands on the Cabazon, Augustine, and Torres-Martinez Indian Reservations in California, and for other purposes.

Designated Indian Reservations, Calif.
Restricted lands for irrigation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, or his authorized representative, shall designate the restricted Indian lands on the Cabazon, Augustine, and Torres-Martinez Indian Reservations which may be irrigated from facilities of the Coachella Valley County Water District of Riverside County, California, and may enter into an appropriate contract with the said water district whereby the Secretary, acting on behalf of the United States, for the benefit of said restricted Indian lands, may assume an obligation to pay or guarantee payment to said water district of all costs and charges made by said district on account of the construction, operation, and maintenance of the works and facilities required for the

delivery of water to such lands to the same extent as other lands of the district shall be charged therefor. There is hereby created a recordable first lien against the Indian lands for the amounts assessed thereagainst but such lien shall not be enforced during the period the lands remain in Indian ownership. The annual appropriation of such amounts as may be necessary to make payment to the said water district of the costs and charges herein provided for is hereby authorized out of any money in the United States Treasury not otherwise appropriated. The payments made to the said water ⊥district hereunder shall be reimbursed to the United States from payments made by lessees holding leases made pursuant to section 8 (c) hereof. Operation and maintenance costs assessed against unleased Indian lands shall, when collected, likewise be applied in reimbursement of the United States. The collection of construction costs shall be subject to the provisions of the Act of July 1, 1932 (47 Stat. 564; 25 U. S. C. 386a), only with respect to those Indian lands not leased.

First lien

Appropriation authorized

1471

SEC. 2. The Secretary of the Interior is authorized and directed to cancel the remaining balance of costs chargeable against Indian lands of the Cabazon, Augustine, and Torres-Martinez Indian Reservations for the drilling and operation of irrigation wells on these reservations. All wells located on any of the lands included in the said water district shall, together with the well sites, become the property of the owners of the lands upon which the wells are located. The cancellation of these charges shall be reported in the reimbursable accounts rendered to the Comptroller General of the United States pursuant to the Act of April 4, 1910 (36 Stat. 269, 270; 25 U. S. C. 145), as deductions from the total indebtedness of the project without regard to the fiscal years in which, or the appropriations from which, the expenditures were made.

Cancellation of costs

Ownership of wells

SEC. 3. The Secretary of the Interior is authorized upon application therefor filed by any adult Indian owning allotted land who has the necessary training and experience to conduct his affairs without further assistance from the Government, on the Cabazon, Augustine, or Torres-Martinez Indian Reservations, including allotments heretofore made or that may be made after the date of approval of this Act, to issue to such Indian a patent in fee to such lands.

Issuance of patent in fee

SEC. 4. The Secretary of the Interior is authorized and directed to determine, on the basis of available surveys and other information, the total area of the irrigable and potentially irrigable Indian trust land on the Cabazon, Augustine, and Torres-Martinez Reservations, now productive or which can be made productive by leaching, leveling, or water development from sources other than through the use of irrigation facilities of Coachella Valley County Water District.

Determination of irrigable area

SEC. 5. The Secretary of the Interior is authorized and directed to prepare membership rolls of the Torres-Martinez, Augustine, and Cabazon Bands of Mission Indians as of June 30, 1949, and to allot not to exceed forty acres of irrigable or potentially irrigable land on the reservations of the respective bands, if available, to all enrolled members who have not heretofore received allotments.

Membership rolls, allotments

SEC. 6. When allotments have been made as provided in section 5 hereof, the owner of any trust allotment made prior to the date of approval of this Act may, upon a finding by the Secretary of the Interior that such allotment is nonirrigable or nonproductive, be permitted, upon application therefor, to exchange such allotment for an equal acreage of unallotted, irrigable, or potentially irrigable land, if available.

Exchange of allotment

SEC. 7. With the exception of Indian lands located under or adjacent to the Salton Sea, below a contour line of two hundred and twenty feet below sea level and any forty-acre tract any part of which is at an elevation of two hundred and twenty feet below sea level or lower, the Secretary of the Interior is authorized, with the consent of the interested band of Indians (a) to appraise and offer for sale within

Sale of surplus lands.

three years from the date of approval of this Act any surplus, irrigable, or potentially irrigable land remaining after the allotments and exchanges have been made as provided in sections 5 and 6 hereof, such sales to be made at not less than the appraised value of the lands, and no purchaser shall be permitted to acquire more than one hundred and sixty acres of such lands in the aggregate, nor any lesser
1472 number ⊥of acres of such lands which, if added to lands then owned or held by the purchaser, would cause said purchaser to become a "large landowner" as defined in the contract dated December 22, 1947, between the United States and the Coachella Valley County Water District entitled "Contract for Construction of Distribution System, Protective Works, and Drainage Works"; and (b) to appraise and offer for sale at not less than the appraised value all surplus, nonirrigable lands of the Torres-Martinez Band, under such conditions as the Secretary may prescribe; and (c) to cause patents in fee to be issued to the purchasers of such lands. The Secretary of the Interior is further authorized to acquire by purchase for and in behalf of the United States, and at such price as may be agreed upon between him and the Indian owners, any Indian lands, whether tribally or individually owned, located under or adjacent to the Salton Sea, below a contour line of two hundred and twenty feet below sea level and any forty-acre tract any part of which is at an elevation of two hundred and twenty feet below sea level or lower. The lands so acquired shall be reserved for the purpose of maintaining a drainage reservoir in said Salton Sea and shall not be exchanged or otherwise disposed of without the consent of the Congress. The amount (not to exceed $5,000) required to complete such purchases is hereby authorized to be appropriated out of moneys in the United States Treasury not otherwise appropriated. The proceeds derived from all sales of lands made under the provisions of this section may, in the discretion of the Secretary of the Interior, be distributed at any time in cash per capita among the enrolled members of the respective bands, such distribution to be completed in any event within five years from the date of approval of this Act.

Acquisition of certain lands

Appropriation authorized

Distribution of sales proceeds

Leases

25 U. S. C. § 403

25 U. S. C. § 380

SEC. 8. (a) That any restricted Indian land, whether individually or tribally owned, may be leased by the Indian owners in accordance with the provisions of section 4 of the Act of June 25, 1910 (36 Stat. 856), and such lands of deceased Indians may be leased for the benefit of their heirs or devisees as provided for by the Act of July 8, 1940 (54 Stat. 745).

(b) All leases of restricted Indian lands designated under section 1 of this Act, whether made under this section or under any other provision of law, shall include a provision that the lessee, in addition to the compensation payable to the lessor under the terms of the lease, shall pay all irrigation charges properly assessed against such lands pursuant to the provisions of section 1 hereof, and which become payable during the term of the lease. All leases to which this subsection applies shall be duly recorded in the office of the county recorder of the county in which the leased lands are located, the cost thereof to be paid by the lessee. A copy of each lease shall also be filed by the lessee with the Coachella Valley County Water District, or such other irrigation or water district within which the leased lands may be located.

Advance payments

(c) Rent or other payment for the use of land leased under this section shall not be collected or paid more than five years in advance.

Sale of restricted land of deceased allottees

SEC. 9. The Secretary of the Interior is authorized to sell any restricted land of deceased allottees upon the application of the heirs or devisees owning a majority interest therein: *Provided*, That notice of the proposed sale and its terms shall be mailed to each of the heirs or devisees at his last known address and no valid objection is filed within thirty days from the date of mailing of such notice.

SEC. 10. The Secretary of the Interior is authorized to prescribe such rules and regulations as may be necessary to carry out the purposes of this Act. Rules and regulations.

Approved, August 25, 1950.

[CHAPTER 828]

AN ACT

August 30, 1950
[H. R. 7677]
[Public Law 742]
64 Stat. 568

To provide for perfecting the title of the State of Nebraska to certain property heretofore known as the Genoa Indian School.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the State of Nebraska all right, title, and interest of the United States in and to the following-described lands, together with the improvements thereon, heretofore known and designated as the Genoa Indian School, situated in Nance County, Nebraska: The northeast quarter of section 13, township 17 north, range 4 west; the northwest quarter of section 18, township 17 north, range 3 west; and the northeast quarter of section 29 and the northwest quarter of section 28, township 18 north, range 4 west, sixth principal meridian. Genoa Indian School, Neb.
Conveyance.

Approved, August 30, 1950.

[CHAPTER 832]

AN ACT

September 1, 1950
[S. 2423]
Public Law 745
64 Stat. 572

To amend section 7 of the Act of February 27, 1925 (43 Stat. 1008), relating to the Osage Indians of Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of February 27, 1925 (43 Stat. 1008, 1011), which imposes an inheritance restriction with relation to lands and funds of the Osage Indians, is amended by striking out the portion of said section after the comma following the word "*Provided*" and inserting in lieu thereof the following: "That (except in cases where a person claiming as such heir is a party to judicial proceedings pending on the date of the enactment of this proviso in which the claimant has filed a formal pleading alleging Indian blood) no claim of heirship shall be recognized unless the claimant shall establish that he is a citizen of the United States and is enrolled on a membership, census, or other roll prepared under the direction of the Secretary of the Interior, or has a lineal Indian ancestor so enrolled. *Provided further*, That this section shall not apply to spouses under marriages existing on February 27, 1925". Osage Indians, Okla.
Heirship claims.
Nonapplicability.

Approved, September 1, 1950.

[CHAPTER 834]

AN ACT

September 1, 1950
[H. R. 6209]
[Public Law 747]
64 Stat. 573

To authorize the commutation of the annual appropriation for fulfilling various treaties with the Choctaw Nation of Indians in Oklahoma, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury of the United States not otherwise appropriated, the sum of $350,666.67 for the purpose of commuting to the said sum of $350,666.67 the annual appropriation, amounting to $10,520, made for the purpose of fulfilling the following treaties with the Choctaw Indians of Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support Choctaw Indians, Okla.
Appropriation authorized to fulfill certain treaties.
7 Stat. 99; 11 Stat. 614; 7 Stat. 213.

of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320. The said sum of $350,666.67, when appropriated, shall be deposited in the Treasury of the United States to the credit of the Choctaw Nation.

7 Stat. 212, 236.

7 Stat. 235.

Approval of commutation

SEC. 2. The commutation provided for in section 1 of this Act shall be contingent upon the approval of such commutation by a majority of the votes cast by the enrolled members of the Choctaw Nation in a referendum election conducted by the Secretary of the Interior under such rules and regulations as he shall, with the concurrence of the principal chief of the said nation, prescribe.

Distribution of funds

SEC. 3. The Secretary of the Interior is directed to distribute per capita to the enrolled members of the Choctaw Nation, entitled under existing law to share in the funds of such nation, or to their lawful heirs or devisees determined in the manner prescribed in section 4 of the contract ratified by the Act of June 24, 1948 (Public Law 754, Eightieth Congress), any or all the funds appropriated pursuant to section 1 of this Act.

62 Stat. 596

Appropriation authorized

SEC. 4. There is hereby authorized to be appropriated, out of any funds in the Treasury of the United States not otherwise appropriated, the sum of not to exceed $5,000 for the purpose of defraying the expenses of conducting the referendum provided for in section 2 of this Act, and of making the per capita payments authorized in section 3 of this Act.

SEC. 5. The approval of the commutation as provided in section 2 and the deposit to the credit of the Choctaw Nation of the amount specified in section 1 shall constitute a full and complete discharge of all rights, claims, and demands of any nature whatsoever, whether tangible or intangible and whether or not cognizable in law or in equity, against the United States arising out of any of the annuity provisions of the treaties referred to in section 1.

Approved, September 1, 1950.

September 6, 1950
[H. R. 7786]

[Public Law 759]
64 Stat. 595

[CHAPTER 896]

AN ACT

Making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes.

General Appropriation Act, 1951
Ante, pp. 302, 347, 381, 577; *Post*, pp. 1044, 1223.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Government, for the fiscal year ending June 30, 1951, namely:

* * *

⊥CHAPTER VII—DEPARTMENT OF THE INTERIOR

TITLE I

* * *

⊥BUREAU OF LAND MANAGEMENT

* * *

⊥1679
Interior Department Appropriation Act, 1951.
Ante, pp. 302, 381; *post*, pp. 1052, 1228.
⊥1682

⊥1683

⊥PAYMENTS TO STATES (GRAZING FEES)

Sums not in excess of 33⅓ per centum of all grazing fees received during the current and prior fiscal years (but not yet appropriated) from each grazing district on Indian lands ceded to the United States

for disposition under the public-land laws, to be paid to the State in which said lands are situated, in accordance with the provisions of section 11 of the Act of June 28, 1934, as amended (43 U.S.C. 315j). 48 Stat. 1273; 43 U. S. C., Sup. III, § 315j

* * *

Bureau of Indian Affairs

HEALTH, EDUCATION, AND WELFARE SERVICES

For expenses necessary to provide health, education, and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission) of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; operation of Indian arts and crafts shops and museums; and per diem in lieu of subsistence and other expenses of Indians participating in folk festivals; $40,252,328.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; conducting agricultural experiments and demonstrations; furnishing plants or seed to Indians; advances for Indian industrial and business enterprises; payment of expenses of Indian fairs, including premiums for exhibits; and development of Indian arts and crafts as authorized by law (25 U. S. C. 305), including expenses of exhibits; $10,814,576. 49 Stat. 891

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, roads and trails, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; to remain available until expended, $23,272,651, of which not to exceed $3,737,500 is for liquidation of obligations incurred pursuant to ⊥authority previously granted; and, in addition, the Secretary is authorized to enter into contracts for the purposes of this appropriation in an amount not to exceed $3,500,000: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations. ⊥684 Restrictions.

The unexpended balances of appropriations heretofore made, including unused balances of related contract authorizations, under the heads "Construction, and so forth, buildings and utilities, Indian Service," "Construction, and so forth, irrigation systems, Indian Service," "Roads, Indian Service," "Navajo and Hopi construction and maintenance services," and "Acquisition of lands for Indian tribes", shall be transferred to and merged with this appropriation.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $3,600,000.

REVOLVING FUND FOR LOANS

For an additional amount for loans as authorized by sections 10 and 11 of the Act of June 18, 1934 (25 U. S. C. 470, 471), as amended and supplemented, $2,400,000.

48 Stat. 986.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for personal services in the District of Columbia; purchase (not to exceed two hundred and twenty-seven, of which two hundred and twenty shall be for replacement only) and hire of passenger motor vehicles, which may be used for the transportation of Indians; printing and binding, including illustrations and purchase of reprints; purchase of ice for official use of employees; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), including not to exceed $5,000 for expenditure at rates for individuals not in excess of $100 per diem on irrigation and power matters, when authorized by the Secretary; and expenses required by continuing or permanent treaty provisions.

60 Stat. 810.

CLAIMS AND TREATY OBLIGATIONS

For fulfilling treaties with Senecas and Six Nations of New York, Choctaws and Pawnees of Oklahoma, and payment to Indians of Sioux reservations, to be expended as provided by law, such amounts as may be necessary during the current fiscal year.

PROCEEDS FROM POWER

Sums not in excess of the amount of power revenues covered into the Treasury to the credit of each of the power projects, including revenues credited prior to August 7, 1946, to be available for the purposes authorized by section 3 of the Act of August 7, 1946 (Public Law 647), as amended, including printing and binding, in connection with the respective projects from which such revenues are derived.

60 Stat. 895.
31 U. S. C. § 725s–3

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $2,437,965 from tribal funds not ⊥otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; printing and binding; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a recreational director for the Menominee Reservation and a curator for the Osage Museum, each of whom shall be appointed with the approval of the respective tribal councils and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary. Any tribal funds

⊥685
Travel expenses

18 U. S. C., Sup. III, § 4124.
Recreational director, and curator. Appointments.

Report to Congress.

advanced under this authority shall be reported to the Congress in the annual Budget for the fiscal year 1952: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations. Restriction

* * *

⊥CHAPTER VIII—EXECUTIVE AND INDEPENDENT OFFICES

⊥697
Independent Offices Appropriation Act, 1951.
Ante, pp. 302, 381; *post*, pp. 1054, 1228.

TITLE I

* * *

⊥INDIAN CLAIMS COMMISSION

⊥710

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, including personal services in the District of Columbia and printing and binding, $91,700, together with not exceeding $7,300 of the unobligated balance available for such purpose contained in the Independent Offices Appropriation Act, 1950. 60 Stat. 1049. 63 Stat. 645.

* * *

Approved, September 6, 1950.

[CHAPTER 912]

AN ACT

September 7, 1950.
[H. R. 7941]
[Public Law 769]
64 Stat. 785

To amend and supplement the Federal-Aid Road Act, approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, and for continuing the construction and reconstruction of highways in accordance with the provisions of the ⊥Federal-Aid Highway Act of 1944 approved December 20, 1944 (58 Stat. 838), as amended and supplemented by the Federal Aid Highway Act of 1948 (62 Stat. 1105), there is hereby authorized to be appropriated the sum of $500,000,000 for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953.

Federal Aid Highway Act of 1950
Appropriations authorized.
23 U. S. C. § 48 and note.
⊥786
23 U. S. C. §§ 60–63.
23 U. S. C., Sup. III, §§ 21–23c note.

The sum herein authorized for each fiscal year shall be available for expenditure as follows:

Availability for expenditure.

* * *

⊥SEC. 4.

⊥787

* * *

⊥(c) For the construction, improvement, and maintenance of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $6,000,000 for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953: *Provided*, That the location, type, and design of all roads and bridges constructed shall be approved by the Commissioner of Public Roads before any expenditures are made thereon, and all such construction shall be under the general supervision of the Commissioner of Public Roads.

⊥788
Indian reservation roads, etc.
Appropriations authorized.
25 U. S. C. § 318a.

* * *

⊥SEC. 8. Section 3a of the Federal Highway Act of November 9, 1921, as amended by the Act of February 20, 1931 (46 Stat. 1173), is hereby amended to read as follows:

⊥789
23 U. S. C. § 3a.

Construction in Indian reservations, etc; agency cooperation

"SEC. 3a. That the Secretary of Commerce is authorized to cooperate with the State highway departments and with the Department of the Interior in the construction of public highways within Indian reservations and national parks and monuments under the jurisdiction of the Department of the Interior, and to pay the amount assumed therefor from the funds allotted or apportioned under this Act to the State wherein the reservations and national parks and monuments are located."

* * *

Approved, September 7, 1950.

[CHAPTER 947]

AN ACT

September 13, 1950
[S. 192]

To confer jurisdiction on the courts of the State of New York with respect to civil actions between Indians or to which Indians are parties.

[Public Law 785]
64 Stat. 845

Civil actions, etc., between Indians
Jurisdiction of N. Y. Courts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the courts of the State of New York under the laws of such State shall have jurisdiction in civil actions and proceedings between Indians or between one or more Indians and any other person or persons to the same extent as the courts of the State shall have jurisidction in other civil actions and proceedings, as now or hereafter defined by the laws of such State: *Provided*, That the governing body of any recognized tribe of Indians in the State of New York shall have the right to declare, by appropriate enactment prior to the effective date of this Act, those tribal laws and customs which they desire to preserve, which, on certification to the Secretary of the Interior by the governing body of such tribe shall be published in the Federal Register and thereafter shall govern in all civil cases involving reservation Indians when the subject matter of such tribal laws and customs is involved or at issue, but nothing herein contained shall be construed to prevent such courts from recognizing and giving effect to any tribal law or custom which may be proven to the satisfaction of such courts: *Provided further*, That nothing in this Act shall be construed to require any such tribe or the members thereof to obtain fish and game licenses from the State of New York for the exercise of any hunting and fishing rights provided for such Indians under any agreement, treaty, or custom: *Provided further*, That nothing herein contained shall be construed as subjecting the lands within any Indian reservation in the State of New York to taxation for State or local purposes, nor as subjecting any such lands, or any Federal or State annuity in favor of Indians or Indian tribes, to execution on any judgment rendered in the State courts, except in the enforcement of a judgment in a suit by one tribal member against another in the matter of the use or possession of land: *And provided further*, That nothing herein contained shall be construed as authorizing the alienation from any Indian nation, tribe, or band of Indians of any lands within any Indian reservation in the State of New York: *Provided further*, That nothing herein contained shall be construed as conferring jurisidiction on the courts of the State of New York or making applicable the laws of the State of New York in civil actions involving Indian lands or claims with ⊥respect thereto which relate to transactions or events transpiring prior to the effective date of this Act.

Preservation of tribal laws, etc.

Fish and game licenses

Nontaxability of lands within reservation, etc

1846

Effective date.

SEC. 2. This Act shall take effect two years after the date of its passage.

Approved, September 13, 1950.

[CHAPTER 972]

AN ACT

To provide funds for cooperation with the Territorial school authorities of Nome, Alaska, in the construction, extension, improvement, and equipment of school facilities, to be available to both native and nonnative children.

September 21, 1950
[H. R. 6537]

[Public Law 802]
64 Stat. 896

Be it enacted by the Senate and House of Representatives of the States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of not to exceed $35,000, for the purpose of providing and equipping an addition to the existing Territorial school building at Nome, Alaska: *Provided*, That the expenditure of any money so authorized shall be subject to the express condition that the school maintained by the said school authorities shall be available to all native children of the district on the same terms as other children of said school district: *Provided further*, That plans and specifications shall be furnished by the local school district without cost to the United States, and that the local school authorities shall supervise the construction, extension, and improvement of school facilities provided for herein, and that payment for work in place shall be made, as desired by the local school authorities, on vouchers properly certified by local officials of the Alaska Native Service: *And provided further*, That title to the addition when completed shall vest in the Territorial school authorities who shall be responsible for the support and maintenance of the school.

Nome, Alaska
Appropriation authorized for Territorial school.

Approved, September 21, 1950.

[CHAPTER 995]

AN ACT

Relating to the construction of school facilities in areas affected by Federal activities, and for other purposes.

September 23, 1950
[S. 2317]

[Public Law 815]
64 Stat. 967

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

School facilities in areas affected by Federal activities

TITLE I—SURVEYS AND STATE PLANS FOR SCHOOL CONSTRUCTION

AUTHORIZATION OF APPROPRIATION

SEC. 101. In order to assist the several States to inventory existing school facilities, to survey the need for the construction of additional facilities in relation to the distribution of school population, to develop State plans for school construction programs, and to study the adequacy of State and local resources available to meet school facilities requirements, there is hereby authorized to be appropriated the sum of $3,000,000, to remain available until expended. The sums appropriated pursuant to this section shall be used for making payments to

Post, p. 1051

* * *

⊥States whose applications for funds for carrying out such purposes have been approved: *Provided*, That the making of grants under this title shall not in any way commit the Congress to authorize or appropriate funds to undertake the construction of any public works so planned.

⊥1968

* * *

⊥TITLE II—SCHOOL CONSTRUCTION IN FEDERALLY-AFFECTED AREAS

⊥1969

DECLARATION OF POLICY

SECTION 201. In recognition of the impact which certain Federal

activities have had on the school construction needs in the areas in which such Federal activities have been or are being carried on, the Congress hereby declares it to be the policy of the United States to bear the cost of constructing school facilities in such areas in the manner and to the extent provided in this title.

* * *

1952 ⊥CHILDREN FOR WHOM LOCAL AGENCIES ARE UNABLE TO PROVIDE EDUCATION

SEC. 204. In the case of children who reside on Federal property—

(1) if no tax revenues of the State or any political subdivision thereof may be expended for the free public education of such children; or

(2) if it is the judgment of the Commission, after he has consulted with the appropriate State educational agency, that no local educational agency is able to provide suitable free public education for such children,

the Commissioner shall shall make such arrangements for constructing or otherwise providing school facilities as may be necessary for the education of such children. To the maximum extent practicable school facilities provided under this section shall be comparable to the school facilities provided for children in comparable communities in the State. This section shall not apply (A) to children who reside on Federal property under the control of the Atomic Energy Commission, and (B) to Indian children attending Federally operated Indian schools. Whenever it will be necessary for the Commissioner to provide school facilities for children residing on Federal property under this section, no local educational agency shall be entitled to receive payment under section 202 with respect to the attendance of such children.

Ante, p. 969.

* * *

1953 ⊥USE OF OTHER FEDERAL AGENCIES; TRANSFER AND AVAILABILITY OF APPROPRIATIONS

SEC. 209. (a) In carrying out his functions under this title, the Commissioner of Education may utilize the facilities and services of any Federal department or agency and may delegate the performance of any of his functions to any officer or employee of any Federal department or agency. The Commissioner of Education shall exercise the authority contained in the preceding sentence whenever such exercise will avoid the creation within the Office of Education of a staff and facilities which duplicate existing available staffs and facilities. Any such utilization or delegation shall be pursuant to proper agreement with the Federal department or agency concerned; and payment to cover the cost thereof shall be made either in advance or by way of reimbursement, as may be provided in such agreement.

Requests of Commissioner for information

(b) All Federal departments or agencies administering Federal property on which children reside, and all such departments or agencies principally responsible for Federal activities which may give rise to a need for the construction of school facilities, shall to the maximum extent practicable comply with requests of the Commissioner for information he may require in carrying out the purposes of this title.

Appropriations authorized
Post, p. 1051

(c) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1951, and for each of the two succeeding fiscal years, such sums as may be necessary to carry out the provisions of this title, including the administration thereof. Sums so appropriated, other than sums appropriated for administration, shall remain available until expended. Not to exceed 10 per centum of the amount so appropriated for any fiscal year (exclusive of any sums appropriated

for administration) may be used by the Commissioner, under regulations prescribed by him, to make grants to local educational agencies eligible for payments under section 202, where (1) the application of such agencies would be approved under section 205 (b) but for the agencies' inability, unless aided by such grants, to finance the non-Federal share of the cost of the projects set forth in their applications, or (2) although the applications of such agencies have been approved, the projects covered by such applications could not, without such grants, be completed, because of flood, fire, or similar emergency affecting either the work on the projects or the agencies' ability to finance the non-Federal share of the cost ⊥of the projects. Such grants shall be in addition to the payments otherwise provided under this title, shall be made to those local educational agencies whose need for additional aid is the most urgent and acute, and insofar as practicable shall be made in the same manner and upon the same terms and conditions as such other payments.

Ante, p. 969.

Ante, p. 972.

⊥1976

(d) Such portion of the appropriations of any other department or agency for the fiscal year ending June 30, 1951, as the Director of the Bureau of the Budget determines to be available for the same purposes as this title, shall, except to the extent necessary to carry out during such year contracts made prior to the enactment of this Act, be transferred to the Commissioner for use by him in carrying out such purposes.

Transfer of funds.

(e) No appropriation to any department or agency of the United States, other than an appropriation to carry out this title, shall be available during the period beginning July 1, 1951, and ending June 30, 1953, for the same purpose as this title; except that nothing in this subsection or in subsection (d) of this section shall affect the availability during such period of appropriations (1) for the construction of school facilities on Federal property under the control of the Atomic Energy Commission, (2) for the construction of school facilities which are to be Federally operated for Indian children, or (3) for the construction of school facilities under the Alaska Public Works Act, approved August 24, 1949.

Availability of funds.

63 Stat. 627.
48 U. S. C., Sup. III, § 486 note.

⊥DEFINITIONS

SEC. 210. For the purposes of this Act—

(1) The term "Federal property" means real property which is owned by the United States or is leased by the United States, and which is not subject to taxation by any State or any political subdivision of a State or by the District of Columbia. Such term includes real property leased from the Secretary of the Army, Navy, or Air Force under section 805 of the National Housing Act, as amended, for the purpose of title VIII of such Act. Such term also includes real property held in trust by the United States for individual Indians or Indian tribes, and real property held by individual Indians or Indian tribes which is subject to restrictions on alienation imposed by the United States. Such term does not include (A) any real property used by the United States primarily for the provision of services to the local area in which such property is situated, (B) any real property used for a labor supply center, labor home, or labor camp for migratory farm workers, or (C) any low-rent housing project held under title II of the National Industrial Recovery Act, the Emergency Relief Appropriation Act of 1935, the United States Housing Act of 1937, the Act of June 28, 1940 (Public Law 671 of the Seventy-sixth Congress), or any law amendatory of or supplementary to any of such Acts.

63 Stat. 571.
12 U. S. C., Sup. III, §§ 1748–1748g.

48 Stat. 200; 49 Stat. 115; 50 Stat. 888; 54 Stat. 676.
40 U. S. C., §§ 401–414; Sup. III, § 401 *et seq.*; 42 U. S. C. §§ 1430, 1501–1505; Sup. III, § 1401 *et seq.*

* * *

Approved, September 23, 1950.

[CHAPTER 1004]

AN ACT

September 23, 1950
[H. R. 4901]

[Public Law 824]
64 Stat. 981

Authorizing the Eastern Band of Cherokee Indians, North Carolina, to lease certain lands for business purposes for a period not exceeding twenty-five years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Eastern Band of Cherokee Indians, North Carolina, is hereby authorized to lease, for business purposes, with the approval of the Secretary of the Interior, for a term not exceeding twenty-five years, any unassigned nonagricultural or timber tribal land located within an area not exceeding four hundred yards adjacent to United States Highway Numbered 19 and 19a, and State Highway 107 and the Blue Ridge Parkway on the Eastern Cherokee Indian Reservation, North Carolina.

Approved September 23, 1950.

[CHAPTER 1052]

AN ACT

September 27, 1950
[H. R. 9526]

[Public Law 843]
64 Stat. 1044

Making supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes.

Supplemental Appropriation Act, 1951

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental apporpriations for the fiscal year ending June 30, 1951, and for other purposes, namely:

* * *

⊥1052

⊥CHAPTER VII

Ante, p. 679.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

HEALTH, EDUCATION, AND WELFARE SERVICES

For an additional amount for "Health, Education, and Welfare Services" for the purpose of cooperating with Independent School District Numbered 5, Cass County, Minnesota, at Walker, Minnesota,

⊥1053

⊥for the construction, extension, equipment, and improvement of public school facilities at Walker, Minnesota, as authorized by the Act of July 1, 1940 (54 Stat. 707, 708), the Act of July 24, 1947 (61 Stat. 414), and the Act of August 17, 1950 (Public Law 709, Eighty-first Congress),

Ante, p. 459.

\$80,000, to remain available until expended.

CONSTRUCTION

For an additional amount for "Construction", \$205,000, to remain available until expended.

PAYMENT TO THREE AFFILIATED TRIBES OF FORT BERTHOLD RESERVATION, N. DAK.

For payment to the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak., fiscal year 1950, as authorized by the Act of October 29, 1949 (Public Law 437), \$7,500,000, to remain available until expended: *Provided,* That funds credited to the tribes in the Treasury of the United States pursuant to sections 2 and 12 of the Act of October 29, 1949 (Public Law 437), shall be available for expenditure or for advance to the tribes for such purposes, in addition to those specified in said Act, as may be designated by the governing body of the tribes and approved by the Secretary.

63 Stat. 1026.

PAYMENT TO CHOCTAW AND CHICKASAW NATIONS OF INDIANS, OKLAHOMA

For an additional amount for "Payment to Choctaw and Chickasaw Nations of Indians, Oklahoma", $10,500, for defraying the expenses, including printing and binding, of making per capita payments authorized by the Acts of June 28, 1944 (58 Stat. 483), and June 24, 1948 (Public Law 754, Eighteenth Congress). 62 Stat. 596.

Approved, September 27, 1950.

[CHAPTER 1120]

AN ACT

To authorize the negotiation and ratification of separate settlement contracts with the Sioux Indians of Cheyenne River Reservation in South Dakota and of Standing Rock Reservation in South Dakota and North Dakota for Indian lands and rights acquired by the United States for the Oahe Dam and Reservoir, Missouri River development, and for other related purposes.

September 30, 1950
[H. R. 5372]
[Public Law 870]
64 Stat. 1093

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chief of Engineers, Department of the Army, jointly with the Secretary of the Interior, representing the United States of America, are hereby authorized and directed to negotiate contracts containing the provi- ⊥sions outlined herein separately with the Sioux Indians of the Cheyenne River Reservation in South Dakota and with the Sioux Indians of the Standing Rock Reservation in South Dakota and North Dakota, through representatives of the two tribes appointed for this purpose by their tribal councils.

Sioux Indians
Settlement contracts

⊥1094

SEC. 2. The contracts made pursuant to section 1 of this Act shall—

(a) convey to the United States the title to all tribal, allotted, assigned, and inherited lands or interests therein belonging to the Indians of each tribe required by the United States for the reservoir to be created by the construction of the dam across the Missouri River in South Dakota, to be known as Oahe Dam, including such lands along the margin of said reservoir as may be required by the Chief of Engineers, United States Army, for the protection, development, and use of said reservoir: *Provided*, That the date on which the contract is signed by Chief of Engineers, United States Army, and the Secretary of the Interior shall be the date of taking by the United States for purposes of determining the ownership of the Indian tribal, allotted, and assigned lands conveyed thereby to the United States, subject to the determinations and the payments to be made as hereinafter provided for;

(b) provide for the payment of—

(1) just compensation for lands and improvements and interests therein, conveyed pursuant to subsection (a);

(2) costs of relocating and reestablishing the tribe and the members of each tribe who reside upon such lands so that their economic, social, religious, and community life can be reestablished and protected: *Provided*, That such costs of relocating and reestablishing the tribe and the members of each tribe who reside upon such lands shall not result in double compensation for lands and properties to the tribe and members of each tribe; and

(3) costs of relocating and reestablishing Indian cemeteries, tribal monuments, and shrines located upon such lands;

(c) provide that just compensation for the lands of individual members of such tribes, who reject the appraisal covering their individual property, shall be judicially determined in proceedings instituted for such purpose by the Department of the Army in the United States district court for the district in which the lands are situated;

(d) provide a schedule of dates for the orderly removal of the Indians and their personal property situated within the taking area of the Oahe Reservoir within the respective reservations: *Provided*, That the Chief of Engineers shall have primary and final responsibility in negotiating concerning the matters set out in the foregoing paragraphs (a) and (b) hereof;

(e) provide for the final and complete settlement of all claims by the Indians and tribes described in section 1 of this Act against the United States arising because of construction of the Oahe project.

Appraisal schedule

SEC. 3. To assist the negotiators in arriving at the amount of just compensation as provided herein in section 2 (b)(1), the Secretary of the Interior or his duly authorized representative and the Chief of Engineers, Department of the Army, or his duly authorized representative shall cause to be prepared an appraisal schedule on an individual tract basis of the tribal, allotted, and assigned lands, including heirship interests therein, located within the taking areas of the respective reservations. In the preparation thereof, they shall determine the fair market value of the lands, giving full and proper weight

1095

to the follow-⊥ing elements of appraisal: Improvements, severance damage, standing timber, mineral rights, and the uses to which the lands are reasonably adapted. They shall transmit the schedules to the representatives of the tribes appointed to negotiate a contract, which schedules shall be used as a basis for determining the amount fo just compensation to be included in the contracts for the elements of damages set out in section 2 hereof.

SEC. 4. The specification in sections 2 and 3 hereof of certain provisions to be included in each contract shall not operate to preclude the inclusion in such contracts of other provisions beneficial to the Indians who are parties to such contracts.

Submittal of contracts to Congress.

SEC. 5. (a) The contracts negotiated and approved pursuant to this Act shall be submitted to the Congress within eighteen months from and after the date of enactment of this Act.

Ratification

(b) No such contract shall take effect until it shall have been ratified by Act of Congress and ratified in writing by three-quarters of the adult members of the two respective tribes designated in section 1 hereof, separately, within nine months from the date of the Act ratifying each said contract: *Provided*, That in the event the negotiating parties designated by section 1 of this Act are unable to agree on any item or provision in the proposed contracts, said items or provisions shall be reported separately to the Congress as an appendix to each contract, and shall set out the provisions in dispute as proposed by the advocates thereof for consideration and determination by the Congress.

Oahe Dam

SEC. 6. Nothing in this Act shall be construed to restrict the orderly prosecution of the construction or delay the completion of the Oahe Dam to provide protection from floods on the Missouri River.

Approved, September 30, 1950.

[CHAPTER 1124]

AN ACT

September 30, 1950
[H. R. 7940]

To provide financial assistance for local educational agencies in areas affected by Federal activities, and for other purposes.

[Public Law 874]
64 Stat. 1100

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Educational agencies affected by Federal activities.

DECLARATION OF POLICY

SECTION 1. In recognition of the responsibility of the United States for the impact which certain Federal activities have on the local educational agencies in the areas in which such activities are carried

on, ⊥the Congress hereby declares it to be the policy of the United States to provide financial assistance (as set forth in the following sections of this Act) for those local educational agencies upon which the United States has placed financial burdens by reason of the fact that— ⊥1101

(1) the revenues available to such agencies from local sources have been reduced as the result of the acquisition of real property by the United States; or

(2) such agencies provide education for children residing on Federal property; or

(3) such agencies provide education for children whose parents are employed on Federal property; or

(4) there has been a sudden and substantial increase in school attendance as the result of Federal activities.

* * *

⊥DEFINITIONS ⊥1108

SEC. 9. For the purposes of this Act—

(1) The term "Federal property" means real property which is owned by the United States or is leased by the United States, and which is not subject to taxation by any State or any political subdivision of a State or by the District of Columbia. Such term includes real property leased from the Secretary of the Army, Navy, or Air Force under section 805 of the National Housing Act, as amended, for the purpose of title VIII of such Act. Such term also includes real property held in trust by the United States for individual Indians or Indian tribes, and real property held by individual Indians or Indian tribes which is subject to restrictions on alienation imposed by the United States. Such term does not include (A) any real property used by the United States primarily for the provision of services to the local area in which such property is situated, (B) any real property used for a labor supply center, labor home, or labor camp for migratory farm workers, or (C) any low-rent housing project held under title II of the National Industrial Recovery Act, the Emergency Relief Appropriation Act of 1935, the United States Housing Act of 1937, the Act of June 28, 1940 (Public Law 671 of the Seventy-sixth Congress), or any law amendatory of or supplementary to any of such Acts.

63 Stat. 576.
12 U. S. C., Sup. III, § 1748d.

48 Stat. 200; 49 Stat. 115; 50 Stat. 888, 54 Stat. 676.
40 U. S. C. § 401 *et seq.*; 42 U. S. C. § 1430; Sup. III, § 1401 *et seq.*; 50 U. S. C. app. § 1151 *et seq.*

(2) The term "child" means any child who is within the age limits for which the applicable State provides free public education. Such term does not include any child who is a member, or the dependent of a member, of any Indian tribal organization, recognized as such under the laws of the United States relating to Indian affairs, and who is eligible for educational services provided pursuant to a capital grant by ⊥the United States, or under the supervision of, or pursuant to a contract or other arrangement with, the Bureau of Indian Affairs. ⊥1109

* * *

Approved, September 30, 1950.

[CHAPTER 1121]

AN ACT

To authorize a $75 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

September 30, 1950
[H. R. 6319]

[Public Law 871]
64 Stat. 1095

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. 137), to the credit of the Red Lake Indians in

Red Lake Band of Chippewa Indians, Minn.
Per capita payments

Minnesota, and to pay therefrom $75, in two equal installments to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living at the date of enactment of this Act. The first installment of $37.50 per capita to be made upon the passage and approval of this Act and the second installment of $37.50 per capita to be made January 15, 1951. Such installment payments shall be made under such rules and regulations as the Secretary of the Interior may prescribe.

SEC. 2. No money paid to Indians under this Act shall be subject to any lien or claim of attorneys or other persons. Before any payment is made under this Act, the Red Lake Band of Chippewa Indians of Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify and accept the provisions of this Act.

SEC. 3. Payments made under this Act shall not be held to be "other income and resources" as that term is used in sections 2 (a) (7), 402 (a) (7), and 1002 (a) (8) of the Social Security Act, as amended (U. S. C., 1946 edition, title 42, secs. 302 (a) (7), 602 (a) (7), and 1202 (a) (8)).

49 Stat. 620, 53 Stat. 1379, 1397.

Approved, September 30, 1950.

[CHAPTER 1192]

AN ACT

To amend the Act of October 5, 1949 (Public Law 322, Eighty-first Congress), so as to extend the time of permits covering lands located on the Agua Caliente Indian Reservation.

December 29, 1950
[H. R. 9272]

[Public Law 904]
64 Stat. 1133

Agua Caliente Indian Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to confer jurisdiction on the State of California over the lands and residents of the Agua Caliente Indian ⊥Reservation in said State, and for other purposes", approved October 5, 1949, is amended by striking out "December 31, 1950" and inserting in lieu thereof "December 31, 1951": *Provided*, That this amendment shall not extend the duration of any permit which would, according to its own terms, expire on or before December 31, 1951.

⊥ 1134

63 Stat. 705.

Approved, December 29, 1950.

[CHAPTER 1194]

AN ACT

To prohibit transportation of gambling devices in interstate and foreign commerce.

January 2, 1951
[S. 3357]

[Public Law 906]
64 Stat. 1134

Gambling devices.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

Definitions.

(a) The term "gambling device" means—

(1) any so-called "slot machine" or any other machine or mechanical device an essential part of which is a drum or reel with insignia thereon, and (A) which when operated may deliver, as the result of the application of an element of chance, any money or property, or (B) by the operation of which a person may become entitled to receive, as the result of the application of an element of chance, any money or property; or

(2) any machine or mechanical device designed and manufactured to operate by means of insertion of a coin, token, or similar object and designed and manufactured so that when operated it may deliver, as the result of the application of an element of chance, any money or property; or

(3) any subassembly or essential part intended to be used in connection with any such machine or mechanical device.

(b) The term "State" includes Alaska, Hawaii, Puerto Rico, the Virgin Islands, and Guam.

(c) The term "possession of the United States" means any possession of the United States which is not named in paragraph (b) of this section.

* * *

⊥SEC. 5. It shall be unlawful to manufacture, recondition, repair, sell, transport, possess, or use any gambling device in the District of Columbia, in any possession of the United States, within Indian country as defined in section 1151 of title 18 of the United States Code or within the special maritime and territorial jurisdiction of the United States as defined in section 7 of title 18 of the United States Code. ⊥1135

62 Stat. 757. 18 U. S. C., Sup. III, § 1151.

62 Stat. 685.

* * *

Approved, January 2, 1951.

PRIVATE LAWS OF THE EIGHTY-FIRST CONGRESS, SECOND SESSION, 1950–1951

[CHAPTER 46]

AN ACT

To authorize the sale of certain allotted devised land on the Winnebago Reservation, Nebraska.

March 2, 1950
[S. 2520]

[Private Law 389]
64 Stat. A18

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to sell the trust allotment numbered 110 of George Tebo, Junior, deceased Winnebago allottee, described as the east half of the northeast quarter of section 9, township 26 north, range 8 east, sixth principal meridian, Thurston County, Nebraska, containing eighty acres, conveyance to be made by deed or the issuance of a patent in fee to the purchaser and to disburse the proceeds of such sale to Walter Tebo for his benefit.

George Tebo, Jr.
Sale of trust allotment.

Approved, March 2, 1950.

[CHAPTER 164]

AN ACT

Authorizing the issuance of a patent in fee to Paul High Horse and Anna High Horse.

May 5, 1950
[H. R. 2919]

[Private Law 452]
64 Stat. A41

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Paul High Horse and Anna High Horse, of Wanblee, South Dakota, a patent in fee to the following-described land situated on the Rosebud Indian Reservation in the State of South Dakota: Allotment numbered 6902, northwest quarter, section 24, township 36 north, range 25 west, of the sixth principal meridian, South Dakota, containing one hundred and sixty acres.

Paul and Anna High Horse

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Rosebud Sioux Tribe of Indians of the Rosebud Reservation of South Dakota or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Rosebud Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the said Rosebud Sioux Tribe or any member thereof and a copy thereof served upon the Superintendent of the Rosebud Agency.

⊥(b) A certificate of the Superintendent of the Rosebud Agency ⊥A42

stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the register of deeds of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, May 5, 1950.

[CHAPTER 165]

AN ACT

May 5, 1950
[H. R. 5609]

Authorizing the Secretary of the Interior to issue a patent in fee to B. M. (Bud) Phelps.

[Private Law 453]
64 Stat. A42

B. M. (Bud) Phelps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to B. M. (Bud) Phelps, of Pryor, Montana, a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Montana: Section 26 and the south half of the northwest quarter and the southwest quarter and the southwest quarter of southeast quarter and the northwest quarter of southeast quarter and the southwest quarter of northeast quarter of section 23, township 6 south, range 27 east, Montana principal meridian, containing one thousand acres.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Crow Tribe or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Crow Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Crow Tribe or any member thereof and a copy thereof served upon the Superintendent of the Crow Agency.

(b) A certificate of the Superintendent of the Crow Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, May 5, 1950.

[CHAPTER 166]

AN ACT

May 5, 1950
[H. R. 5610]

Authorizing the Secretary of the Interior to issue a patent in fee to Emma Phelps Glenn.

[Private Law 454]
64 Stat. A42

Emma Phelps Glenn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Emma Phelps Glenn, of Pryor, Montana, a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Montana: The east half of the northwest quarter of the southwest quarter of section 9, township 7 south, range 28 east, Montana principal meridian; the south half of section 10, the west half of the southwest quarter of

1 A43

section 11, the west half of section 14, the northwest quarter of the northeast quarter, and the north half of the northwest quarter of section 23, township 6 south, range 27 east, Montana principal meridian, containing eight hundred sixty acres more or less.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Crow Tribe or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Crow Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Crow Tribe or any member thereof and a copy thereof served upon the Superintendent of the Crow Agency.

(b) A certificate of the Superintendent of the Crow Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, May 5, 1950.

[CHAPTER 167]

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Charles M. Phelps.

May 5, 1950
[H. R. 5611]

[Private Law 455]
64 Stat. A43

Charles M. Phelps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Charles M. Phelps, of Pryor, Montana, a patent in fee to the following-described lands allotted to and purchased by him on the Crow Indian Reservation, Montana: Lot 4 of section 2; lots 1 and 2 of section 3; the northwest quarter of section 11; and the north half of the north half of the north half of the southeast quarter of section 35, township 6 south, range 27 east, Montana principal meridian; the south half of the northwest quarter and the northeast quarter of the southwest quarter of section 33, township 5 south, range 27 east, Montana principal meridian; the northeast quarter of the northeast quarter of section 11; the west half of the northwest quarter and the southeast quarter of the northwest quarter of section 12, township 7 south, range 28 east, Montana principal meridian, containing nine hundred twenty-four and sixty-five one-hundredths acres.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Crow Tribe or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Crow Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the super-
⊥intendent in a conspicuous public place at such agency and have ⊥A44
remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Crow Tribe or any member thereof and a copy thereof served upon the Superintendent of the Crow Agency.

(b) A certificate of the Superintendent of the Crow Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, May 5, 1950.

[CHAPTER 168]

AN ACT

May 5, 1950
[H. R. 5860]

Authorizing the Secretary of the Interior to sell the land of Frank Phelps under existing regulations.

[Private Law 456]
64 Stat. A44

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the filing of a written application by Frank Phelps, Crow Indian allottee Numbered 2171, the Secretary of the Interior is hereby authorized and directed to sell under existing regulations, the homestead and other land of said Frank Phelps, described as the south half of the southeast quarter of section 20; the south half of the south half of section 21; the north half of section 28; the northeast quarter of section 29, township 6 south, range 28 east, Montana principal meridian, containing seven hundred and twenty acres.

Frank Phelps

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Crow Tribe or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Crow Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Crow Tribe or any member thereof and a copy thereof served upon the Superintendent of the Crow Agency.

(b) A certificate of the Superintendent of the Crow Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, May 5, 1950.

[CHAPTER 198]

AN ACT

May 24, 1950
[H. R. 3494]

To authorize the Secretary of the Interior to transfer a building in Juneau, Alaska, to the Alaska Native Brotherhood and/or Sisterhood, Juneau (Alaska) Camp.

[Private Law 466]
64 Stat. A48

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to transfer in consideration of 50 per centum of the appraised fair market value thereof to the Alaska Native Brotherhood and/or Sisterhood, Juneau (Alaska) Camp, all the right, title, and interest of the United ⊥States

Alaska Native Brotherhood

⊥A49

in the following-described building in Juneau, Alaska, now owned by the Alaska Native Service:

A one-story two-room frame building, twenty-eight by forty-five feet and twenty-four feet high, presently located on a tract of tidelands shown as lot 2, block A, on the unofficial survey plat of the Juneau Indian Village.

Approved, May 24, 1950.

[CHAPTER 285]

AN ACT

June 16, 1950
[H. R. 6521]

To authorize the sale of certain land on the Pine Ridge Indian Reservation, South Dakota, allotted to Lucy Arapahoe Iron Bear.

[Private Law 515]
64 Stat. A66

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to sell at a price not less than $2,500 the trust allotment numbered 5145 of Lucy Arapahoe Iron Bear, described as the southwest quarter of section 2, township 37 north, range 38 west, of the sixth principal meridian, South Dakota, conveyance to be made by deed or the issuance of a patent in fee to the purchaser and to disburse the proceeds of such sale to Lucy Arapahoe Iron Bear for her benefit: *Provided*, That the proceeds shall be regarded as trust funds and shall not be subject to liens or attachments of any character whatsoever except obligations due the United States.

Lucy Arapahoe Iron Bear

Approved, June 16, 1950.

[CHAPTER 412]

AN ACT

June 29, 1950
[S. 2510]

To authorize and direct the Secretary of the Interior to issue to Anson Harold Pease, a Crow allottee, a patent in fee to certain lands.

[Private Law 620]
64 Stat. A102

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Anson Harold Pease, Crow allottee numbered 1322, a patent in fee to the following-described lands in the State of Montana: Lot 8, south half northeast quarter, southeast quarter southwest quarter, southeast quarter of section 11; lots 1, 3, northeast quarter, east half northwest quarter of section 14, lot 3, southeast quarter southeast quarter of section 15, township 1 south, range 27 east, principal meridian, Montana, containing six hundred forty-nine and fifty-five one-hundredths acres, more or less.

Anson Harold Pease.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Crow Tribe or a member thereof, unless (1) at least sixty days prior to such sale the superintendent of the Crow Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Crow Tribe or any member thereof and a copy thereof served upon the superintendent of the Crow Agency.

(b) A certificate of the superintendent of the Crow Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the county clerk and recorder of the county in which such

lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, June 29, 1950.

[CHAPTER 414]

June 29, 1950
[S. 2551]

[Private Law 622]
64 Stat. A103

AN ACT

To authorize the sale of certain allotted land on the Pine Ridge Reservation, South Dakota.

Julia Poor Bear Two Crow.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to sell the trust allotment numbered 4533 of Julia Poor Bear Two Crow, Pine Ridge allottee, described as the northeast quarter of section 32, township 37 north, range 36 west, sixth principal meridian, South Dakota, containing one hundred and sixty acres, conveyance to be made by deed or the issuance of a patent in fee to the purchaser and to disburse the proceeds of such sale to Julia Poor Bear Two Crow for her benefit.

Approved, June 29, 1950.

[CHAPTER 415]

June 29, 1950
[S. 2552]

[Private Law 623]
64 Stat. A103

AN ACT

To authorize the sale of certain allotted land on the Pine Ridge Reservation, South Dakota.

Betty Little White Man

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to sell the trust allotment numbered 4534 of Bettie Morrison, now Betty Little White Man, Pine Ridge allottee, described as the southeast quarter of section 32, township 37 north, range 36 west, sixth principal meridian, South Dakota, containing one hundred and sixty acres, conveyance to be made by deed or the issuance of a patent in fee to the purchaser and to disburse the proceeds of such sale to Betty Little White Man for her benefit.

Approved, June 29, 1950.

[CHAPTER 418]

June 29, 1950
[S. 3128]

[Private Law 626]
64 Stat. A104

AN ACT

To authorize the sale of certain allotted inherited land on the Winnebago Reservation, Nebraska.

John D. Decora.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to sell a portion of the trust allotment numbered 535 inherited by John D. Decora, Winnebago Indian, described as the southeast quarter of the northwest quarter of section 12, township 26 north, range 7 east, sixth principal meridian, Nebraska, containing forty acres, conveyance to be made by deed or the issuance of a patent in fee to the purchaser and to disburse the proceeds of such sale to John D. Decora for his benefit.

Approved, June 29, 1950.

[CHAPTER 419]

June 29, 1950
[S. 3130]

[Private Law 627]
64 Stat. A104

AN ACT

To authorize the sale of certain allotted inherited land on the Winnebago Reservation, Nebraska.

Lot Smith and Helen Seymour Smith.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of

the Interior is hereby authorized to sell the trust allotment numbered 144 of Charles Smith, deceased Winnebago allottee, described as the southeast quarter of the northwest quarter of section 3, township 25 north, range 6 east, sixth principal meridian, Nebraska, containing forty acres, conveyance to be made by deed or the issuance of a patent in fee to the purchaser and to disburse the proceeds of such sale to the heirs, Lot Smith and Helen Seymour Smith, for their benefit.

Approved, June 29, 1950.

[CHAPTER 548]

AN ACT

August 3, 1950
[H. R. 6270]
[Private Law 686]
64 Stat. A125

To authorize the sale of certain allotted inherited land on the Winnebago Indian Reservation, Nebraska.

Heirs of Robert Henry

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to sell at the highest competitive bid the trust allotment numbered 983 of Robert Henry, deceased Winnebago allottee, described as the southeast quarter of the southwest quarter of section 23, township 26 north, range 6 east, sixth principal meridian, Thurston County, Nebraska, containing forty acres, conveyance to be made by deed or the issuance of a patent in fee to the purchaser and to disburse the proceeds of such sale to the several heirs for their benefit.

Approved, August 3, 1950.

[CHAPTER 549]

AN ACT

August 3, 1950
[H. R. 6697]
[Private Law 687]
64 Stat. A125

Authorizing the issuance of a patent in fee to Howard H. Moran.

Howard H. Moran

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Howard H. Moran, Glasgow, Montana, a patent in fee to the following-described land situated on the Rosebud Indian Reservation in the State of South Dakota: Allotment numbered 6650, lots 3 and 4 and the east half southwest quarter, section 31, township 39 north, range 26 west, sixth principal meridian, South Dakota, containing one hundred and sixty-five acres more or less.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Rosebud Sioux Tribe or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Rosebud Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Rosebud Sioux Tribe or any member thereof and a copy thereof served upon the Superintendent of the Rosebud Agency.

(b) A certificate of the Superintendent of the Rosebud Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, August 3, 1950.

[CHAPTER 550]

August 3, 1950
[H. R. 6699]

AN ACT

[Private Law 688]
64 Stat. A126

To authorize the sale of certain land on the Rosebud Indian Reservation, South Dakota, allotted to Susan Eagle Dog.

Susan Eagle Dog

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to sell at a price not less than $2,000 the trust allotment numbered 4913 of Susan Eagle Dog, described as the northeast quarter of section 29, township 102 north, range 78 west, of the fifth principal meridian, South Dakota, conveyance to be made by deed or the issuance of a patent in fee to the purchaser and to disburse the proceeds of such sale to Susan Eagle Dog for her benefit: *Provided*, That the proceeds shall be regarded as trust funds and shall not be subject to liens or attachments of any character whatsoever except obligations due the United States.

Approved, August 8, 1950.

[CHAPTER 551]

August 3, 1950
[H. R. 6703]

AN ACT

[Private Law 689]
64 Stat. A126

To authorize the sale of certain allotted inherited land on the Rosebud Indian Reservation, South Dakota.

Heirs of Yellow Breast.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to sell at the highest competitive bid the trust allotment numbered 950 of Yellow Breast, deceased Rosebud Sioux allottee, described as the northwest quarter of section 4, township 95 north, of range 69 west, of the fifth principal meridian, South Dakota, conveyance to be made by deed or the issuance of a patent in fee to the purchaser and to disburse the proceeds of such sale to the heirs for their benefit.

Approved, August 3, 1950.

[CHAPTER 743]

August 17, 1950
[H. R. 6959]

AN ACT

[Private Law 824]
64 Stat. A174

Authorizing the Secretary of the Interior to issue a patent in fee to William Watt.

William Watt

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to William Watt a

⊥A175

⊥patent in fee to the following-described lands, known as allotment 3606 on the Crow Indian Reservation, Montana: Lots 3, 4, 5, 6, and 7, the southeast quarter of the northwest quarter and the east half of the southwest quarter of section 6, and section 27, township 8 south, range 38 east, Montana principal meridian, containing nine hundred and forty-five acres more or less.

Approved, August 17, 1950.

[CHAPTER 744]

August 17, 1950
[H. R. 6960]

AN ACT

[Private Law 825]
64 Stat. A175

Authorizing the Secretary of the Interior to issue a patent in fee to James Wilbur Watt.

James Wilbur Watt.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to James Wilbur Watt a patent in fee to the following-described lands, known as allotment 3607 on the Crow Indian Reservation, Montana: The northeast

quarter of section 34; lots 2, 3, and 6, the west half of the northeast quarter, the northwest quarter, and the northwest quarter of the southeast quarter of section 35, township 8 south, range 38 east, Montana principal meridian, containing five hundred and forty-two acres more or less.

Approved, August 17, 1950.

[CHAPTER 745]

AN ACT

August 17, 1950
[H. R. 6961]
[Private Law 826]
64 Stat. A175

Authorizing the Secretary of the Interior to issue a patent in fee to Mary E. White Watt.

Mary E White Watt

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Mary E. White Watt a patent in fee to the following-described lands, known as allotment 1442 on the Crow Indian Reservation, Montana: The west half of section 28; the west half of the northeast quarter and the northwest quarter of section 33, township 8 south, range 38 east, Montana principal meridian, containing five hundred and sixty acres.

Approved, August 17, 1950.

[CHAPTER 746]

AN ACT

August 17, 1950
[H. R. 6963]
[Private Law 827]
64 Stat. A175

Authorizing the Secretary of the Interior to issue a patent in fee to Guy L. Heckenlively.

Guy L Heckenlively.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Guy L. Heckenlively, a patent in fee to the following-described lands, known as allotment 2374 on the Crow Indian Reservation, Montana: The south half of the southeast quarter of section 1 and the east half of section 12, township 9 south, range 36 east, Montana principal meridian; lots 3 and 4 of section 6 and lots 1, 2, 3, and 4 of section 7, township 9 south, range 37 east, Montana principal meridian, containing six hundred and ninety-six and eight one-hundredths acres.

Approved, August 17, 1950.

[CHAPTER 747]

AN ACT

August 17, 1950
[H. R. 6964]
[Private Law 828]
64 Stat. A176

Authorizing the Secretary of the Interior to issue a patent in fee to Josephine Stevens Goering.

Josephine Stevens Goering

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Josephine Stevens Goering a patent in fee to the following-described lands, known as allotment 1264 on the Crow Indian Reservation, Montana: the south half of the south half of the north half and the south half of section 29, the southwest quarter of section 28, and the north half of the north half of the northwest quarter of section 32, township 9 south, range 33 east, Montana principal meridian, containing six hundred acres.

Approved, August 17, 1950.

[CHAPTER 748]

AN ACT

August 17, 1950
[H. R. 7293]
[Private Law 829]
64 Stat. A176

Authorizing the Secretary of the Interior to issue a patent in fee to Charlotte Geisdorff Kibby.

Charlotte Geisdorff Kibby

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Charlotte Geisdorff Kibby a patent in fee to the following-described lands on the Crow Indian Reservation, Montana: Lots 9, 10, 11, and 12 of section 3, lots 9, 10, 11, and 12 of section 4, the north half and the north half of the north half of the southwest quarter of section 9, and the north half of section 10, township 1 south, range 34 east, Montana principal meridian, containing seven hundred seventy-six and eight one-hundredths acres more or less.

Approved, August 17, 1950.

[CHAPTER 749]

AN ACT

August 17, 1950
[H. R. 7294]

[Private Law 830]
64 Stat. A176

Authorizing the Secretary of the Interior to issue a patent in fee to Rebecca Collins Ross.

Rebecca Collins Ross

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Rebecca Collins Ross a patent in fee to the following-described lands on the Crow Indian Reservation, Montana: The west half, the south half of the southeast quarter, and the south half of the north half of the southeast quarter, section 13, township 3 south, range 33 east, Montana principal meridian, containing four hundred and forty acres.

Approved, August 17, 1950.

[CHAPTER 750]

AN ACT

August 17, 1950
[H. R. 7773]

[Private Law 831]
64 Stat. A176

To authorize the sale of certain allotted land on the Pine Ridge Indian Reservation, South Dakota.

Nancy Takes Enemy Under Baggage

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to sell at the highest competitive bid the trust allotment of Nancy Takes Enemy Under Baggage, numbered 3998, Pine Ridge Indian Reservation, South

⊥A177

⊥Dakota, described as the south half northeast quarter, section 5, and south half northeast quarter, section 6, township 43 north, range 35 west, of the sixth principal meridian, Washabaugh County, South Dakota, containing one hundred and sixty acres. Conveyance of such land shall be made by deed or the issuance of a patent in fee to the purchaser, and the proceeds of such sale shall be disbursed to Nancy Takes Enemy Under Baggage for her benefit.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Oglala Sioux Tribe or a member thereof, unless (1) at least thirty days prior to such sale the Superintendent of the Pine Ridge Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of thirty days, and (2) prior to the expiration of such thirty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Oglala Sioux Tribe or any member thereof and a copy thereof served upon the Superintendent of the Pine Ridge Agency.

(b) A certificate of the Superintendent of the Pine Ridge Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of thirty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received

in accordance with clause (2) of such subsection, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, August 17, 1950.

[CHAPTER 771]

AN ACT

August 21, 1950
[H. R. 6958]

[Private Law 838]
64 Stat. A179

Authorizing the Secretary of the Interior to issue a patent in fee to Francis Lee Edwards.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Francis Lee ⊥Edwards a patent in fee to the following described lands on the Crow Indian Reservation, Montana: The south half of the south half of section 22, the south half of the south half of section 23, the north half of section 26 and the north half of section 27, township 6 south, range 28 east, Montana principal meridian, containing nine hundred and sixty acres.

Francis Lee Edwards

⊥A180

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Crow Tribe or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Crow Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Crow Tribe or any member thereof and a copy thereof served upon the Superintendent of the Crow Agency.

(b) A certificate of the Superintendent of the Crow Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, August 21, 1950.

[CHAPTER 772]

AN ACT

August 21, 1950
[H. R. 7017]

[Private Law 839]
64 Stat. A180

Authorizing the Secretary of the Interior to issue a patent in fee to Edgar S. Bigman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Edgar S. Bigman a patent in fee to the following-described lands, known as allotment numbered 3064 on the Crow Indian Reservation, Montana: The south half of the northwest quarter and the southwest quarter of section 17, the southeast quarter of section 18, and section 20, township 3 south, range 34 east, containing one thousand and forty acres.

Edgar S. Bigman

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Crow Tribe

or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Crow Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Crow Tribe or any member thereof and a copy thereof served upon the Superintendent of the Crow Agency.

(b) A certificate of the Superintendent of the Crow Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions ⊥of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

⊥A181

Approved, August 21, 1950.

[CHAPTER 773]

AN ACT

August 22, 1950
[S. 1222]

To authorize the sale of inherited interests in certain allotted land under the jurisdiction of the Pine Ridge Indian Agency, South Dakota.

[Private Law 840]
64 Stat. A181

Heirs of Roy Lone Dog.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to sell the trust allotment numbered 1971 of Roy Lone Dog, deceased, described as the northeast quarter section 29, township 39 north, range 37 west, sixth principal meridian, South Dakota, conveyance to be made by the issuance of a patent in fee to the purchaser, and to distribute the proceeds of such sale among the heirs of the said Roy Lone Dog, in accordance with their respective interests.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Oglala Sioux Tribe of Indians of the Pine Ridge Reservation of South Dakota or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Pine Ridge Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such Agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Oglala Sioux Tribe or any member thereof and a copy thereof served upon the Superintendent of the Pine Ridge Agency.

(b) A certificate of the Superintendent of the Pine Ridge Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the register of deeds of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, August 22, 1950.

[CHAPTER 785]

AN ACT

To authorize the sale of inherited interests in certain allotted land under the jurisdiction of the Pine Ridge Indian Reservation, South Dakota.

August 25, 1950
[S. 816]

[Private Law 846]
64 Stat. A183

Heirs of James Richard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to sell the trust allotment ⊥numbered 2109 of James Richard, deceased, described as the south half section 2, township 38 north, range 36 west, sixth principal meridian, South Dakota, conveyance to be made by the issuance of a patent in fee to the purchaser, and to distribute the proceeds of such sale among the heirs of the said James Richard in accordance with their respective interests.

⊥A184

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Pine Ridge Oglala Sioux Tribe of Indians of the Pine Reservation of South Dakota or a member thereof, unless (1) at least sixty days prior to such sale the superintendent of the Pine Ridge Agency shall have been served with notice of the terms thereof, and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Pine Ridge Oglala Sioux Tribe or any member thereof and a copy thereof served upon the superintendent of the Pine Ridge Agency.

(b) A certificate of the superintendent of the Pine Ridge Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause of such subsection, when filed and recorded in the office of the register of deeds of the county in which such lands are situated, shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, August 25, 1950.

[CHAPTER 788]

AN ACT

To authorize the sale of lands allotted to James Brown on the Crow Reservation, Montana.

August 25, 1950
[S. 1426]

[Private Law 849]
64 Stat. A185

James Brown.
Sale of homestead, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to sell, under existing regulations, the homestead and other land of James Brown, Crow allottee numbered 3097, described as lots 1, 2, 3, and 4 in section 3, and lots 1, 2, and 3 and the southeast quarter of the northwest quarter of section 4, all located in township 6 south, range 30 east, Montana principal meridian, containing three hundred and nineteen and thirty-two one-hundredths acres, conveyance to be made by the issuance of a patent in fee to the purchaser, and to distribute the proceeds of such sale under existing regulations to James Brown.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Crow Tribe or a member thereof, unless (1) at least sixty days prior to such sale the superintendent of the Crow Agency shall have been served with notice of the terms thereof and such notice, together with a description of the lands and an offer by the owner thereof to sell such lands

upon the terms specified in such notice to the Crow Tribe or any member thereof, shall have been posted in a conspicuous public place at such agency, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Crow Tribe or any member thereof and a copy thereof served upon the Superintendent of the Crow Agency.

(b) A certificate of the Superintendent of the Crow Agency stating that notice of the proposed sale was given and was posted for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with (2) of such subsection shall, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated, be conclusive evidence of compliance with this section. The Superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, August 25, 1950.

[CHAPTER 789]

AN ACT

To authorize the sale of lands allotted to George C. Estes on the Lower Brule Indian Reservation, South Dakota.

August 25, 1950
[S. 1457]

[Private Law 850]
64 Stat. 186

George C. Estes.
Sale of trust allotment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to sell the trust allotment numbered 599 of George C. Estes, described as the southwest quarter section 27, township 107 north, range 77 west, fifth principal meridian, South Dakota, conveyance to be made by the issuance of a patent in fee to the purchaser, and to distribute the proceeds of such sale to said George C. Estes.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Lower Brule Sioux Tribe, South Dakota, or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Crow Creek Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the said Lower Brule Sioux Tribe or any member thereof and a copy thereof served upon the Superintendent of the Crow Creek Agency.

(b) A certificate of the Superintendent of the Crow Creek Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the register of deeds of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, August 25, 1950.

[CHAPTER 813]

AN ACT

To authorize the sale of inherited interests in certain allotted land under the jurisdiction of the Rosebud Indian Agency, South Dakota.

August 28, 1950
[S. 3129]

[Private Law 872]
64 Stat. A194

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to sell the trust allotment numbered 7500 of Anna Louise Whitford, deceased, described as the southwest quarter of section 28, township 36 north, range 25 west, sixth principal meridian in Todd County, South Dakota.

Anna Louise Whitford
Sale of trust allotment.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Rosebud Sioux Tribe of Indians of the Rosebud Reservation of South Dakota or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Rosebud Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the said Rosebud Sioux Tribe or any member thereof and a copy thereof served upon the Superintendent of the Rosebud Agency.

⊥(b) A certificate of the Superintendent of the Rosebud Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the register of deeds of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

⊥A195

Approved, August 28, 1950.

[CHAPTER 928]

AN ACT

To authorize the sale of certain land allotted to Clara Whitesell, Standing Rock allottee numbered 915.

September 8, 1950
[S. 2948]

[Private Law 948]
64 Stat. A220

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to sell the trust allotment of Clara Whitesell, Standing Rock allottee numbered 915, described as the east half of southwest quarter and west half southeast quarter section 36, township 21 north, range 29 east, Black Hills meridian, South Dakota, conveyance to be made by the issuance of a patent in fee to the purchaser, and to distribute the proceeds of such sale to the said Clara Whitesell.

Clara Whitesell
Sale of trust allotment

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Standing Rock Sioux Tribe of Indians of the Standing Rock Reservation of South Dakota and North Dakota or a member thereof, unless (1) at least sixty days prior to such sale the superintendent of the Standing Rock Agency shall have been served with notice of the terms thereof, and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Standing Rock Sioux Tribe or any member thereof and a copy thereof served upon the superintendent of the Standing Rock Agency.

(b) A certificate of the superintendent of the Standing Rock Agency stating that notice of the proposed sale was served upon him and was

posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the register of deeds of the county in which
⊥A221 such lands are situated, shall be conclusive evidence of com-⊥pliance with this section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, September 8, 1950.

[CHAPTER 1051] AN ACT

Authorizing the Secretary of the Interior to issue patents in fee to certain allottees on the Blackfeet Indian Reservation.

September 26, 1950
[S. 3814]

[Private Law 1002]
64 Stat. A240

Wilbur Anderson and others.
Issuance of patents in fee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to the following-named persons patents in fee to their allotted lands on the Blackfeet Indian Reservation, Montana:

Wilbur Anderson, northwest quarter of the southeast quarter of section 35, township 33 north, range 7 west, and lot 1, section 31, township 37 north, range 10 west, Montana principal meridian, containing seventy-nine and eighty-eight one-hundredths acres.

Rupert Anderson, northeast quarter of the southeast quarter of section 35, township 33 north, range 7 west, and lot 2, section 31, township 37 north, range 10 west, Montana principal meridian, containing seventy-nine and ninety-one one-hundredths acres.

Gale Anderson, east half of the southeast quarter of section 28, township 37 north, range 10 west, Montana principal meridian, containing eighty acres.

Joseph Anderson, northwest quarter of the southwest quarter of section 36, township 33 north, range 7 west, and southeast quarter of
⊥A241 ⊥the northwest quarter of section 31, township 37 north, range 10 west, Montana principal meridian, containing eighty acres.

Pauline Anderson (Cook), east half of the northeast quarter of section 28, township 37 north, range 10 west, Montana principal meridian, containing eighty acres.

Myron W. Anderson, southwest quarter of the southeast quarter of section 35, township 33 north, range 7 west, and southwest quarter of the southeast quarter of section 24, township 37 north, range 11 west, Montana principal meridian, containing eighty acres.

Maude Marie Anderson (LeFebvre), southeast quarter of the southeast quarter of section 35, township 33 north, range 7 west, and southeast quarter of the southwest quarter of section 24, township 37 north, range 11 west, Montana principal meridian, containing eighty acres.

Collins Anderson, Junior, southwest quarter of the southwest quarter of section 36, township 33 north, range 7 west, and lot 4 of section 30, township 37 north, range 10 west, Montana principal meridian, containing seventy-nine and eighty-two one-hundredths acres.

SEC. 2. Said patents in fee when issued shall contain a reservation to the Blackfeet Tribe of Indians of the oil, gas, and all other mineral deposits as provided in the Act of June 30, 1919 (41 Stat. 16).

Approved, September 26, 1950.

[CHAPTER 1168]

December 27, 1950
[S. 3965]

[Private Law 1070]
64 Stat. A265

AN ACT

To confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Lamm Lumber Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 2103 of the Revised Statutes (U. S. C., title 25, sec. 81) and notwithstanding any statute of limitations or lapse of time or any limitation upon the jurisdiction of the Court of Claims with respect to claims upon any contract implied in law, jurisdiction is hereby conferred upon such court to hear, determine, and render judgment upon the claim of the Lamm Lumber Company either against the United States in a fiduciary capacity for the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians or against said Klamath and Modoc Tribes and Yahooskin Band of Snake Indians in connection with the contract construed by such court in its decision dated January 12, 1938, in the case of Lamm Lumber Company against the United States (86 C. Cls. 171). Lamm Lumber Co

SEC. 2. The amount of any judgment awarded by the Court of Claims upon such claim shall not exceed the amount of the judgment heretofore awarded by such court in the case of Lamm Lumber Company against the United States (86 C. Cls. 171, 188).

SEC. 3. Suit upon such claim may be instituted by or on behalf of the Lamm Lumber Company at any time within one year after the date of enactment of this Act. Proceedings for the determination of such claim and review thereof shall be had as in the case of claims over which such court has jurisdiction under section 1491 of title 28 of the United States Code, and the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians shall be entitled to be represented in such proceedings, if they so desire, by legal counsel employed in conformity with the provisions of section 2103 of the Revised Statutes (25 U. S. C. 81). In the trial of any such suit the Court of Claims shall have jurisdiction to hear and determine any defenses available under the rules of law and equity applicable to contracts made by the United States, defenses of waiver or estoppel based on the course of dealing between the parties, and defenses based on mistake of law or fact, including any failure to collect sums payable under the contract ⊥involved in such suit by reason of mistake of law or fact, and shall determine the liability, if any, of the parties defendant as the facts and law require. Parol evidence shall be admissible for the purposes of proving or disproving such defenses notwithstanding any limitation upon the admissibility of parol evidence in suits involving contracts in writing. Any set-off, counterclaim, claim for damages, or other demand set up on the part of any defendant shall be heard and determined by the court in accordance with the provisions of section 2508 of title 28 of the United States Code. 62 Stat. 940. 25 U. S. C., Sup. III, § 1491. ⊥A266 62 Stat. 977. 28 U. S. C., Sup. III, § 2508.

SEC. 4. Any part of any judgment rendered hereunder which represents sums actually deposited to the credit of said Klamath and Modoc Tribes and Yahooskin Band of Snake Indians for timber cut from tribal lands shall be paid by the Secretary of the Treasury, upon appropriation by the Congress, from any funds in the Treasury of the United States to the credit of said tribe. Any other part of any judgment rendered shall be payable in the same manner as in the case of claims over which the Court of Claims has jurisdiction under section 1491 of title 28 of the United States Code. 62 Stat. 940. 28 U. S. C., Sup. III, § 1491.

Approved, December 27, 1950.

[CHAPTER 1204]

AN ACT

January 3, 1951
[S. 3966]

To confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Forest Lumber Company.

[Private Law 1088]
64 Stat A272

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstand- Forest Lumber Co

ing the provisions of section 2103 of the Revised Statutes (U. S. C., title 25, sec. 81) and notwithstanding any statute of limitations or lapse of time or any limitation upon the jurisdiction of the Court of Claims with respect to claims upon any contract implied in law, jurisdiction is hereby conferred upon such court to hear, determine, and render judgment upon the claim of the Forest Lumber Company either against the United States in a fiduciary capacity for the ⊥Klamath and Modoc Tribes and Yahooskin Band of Snake Indians or against said Klamath and Modoc Tribes and Yahooskin Band of Snake Indians in connection with the contract construed by such court in its decision dated January 12, 1938, in the case of Forest Lumber Company, a corporation, against the United States (86 C. Cls. 188).

⊥A273

SEC. 2. The amount of any judgment awarded by the Court of Claims upon such claim shall not exceed the amount of the judgment heretofore awarded by such court in the case of Forest Lumber Company, a corporation, against the United States (86 C. Cls. 188, 225).

SEC. 3. Suit upon such claim may be instituted by or on behalf of the Forest Lumber Company at any time within one year after the date of enactment of this Act. Proceedings for the determination of such claim and review thereof shall be had as in the case of claims over which such court has jurisdiction under section 1491 of title 28 of the United States Code, and the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians shall be entitled to be represented in such proceedings, if they so desire, by legal counsel employed in conformity with the provisions of section 2103 of the Revised Statutes (25 U. S. C. 81). In the trial of any such suit the Court of Claims shall have jurisdiction to hear and determine any defenses available under the rules of law and equity applicable to contracts made by the United States, defenses of waiver or estoppel based on the course of dealing between the parties, and defenses based on mistake of law or fact, including any failure to collect sums payable under the contract involved in such suit by reason of mistake of law or fact, and shall determine the liability, if any, of the parties defendant as the facts and law require. Parol evidence shall be admissible for the purposes of proving or disproving such defenses notwithstanding any limitation upon the admissibility of parol evidence in suits involving contracts in writing. Any set-off, counterclaim, claim for damages, or other demand set up on the part of any defendant shall be heard and determined by the court in accordance with the provisions of section 2508 of title 28 of the United States Code.

62 Stat. 940
28 U. S. C., Sup. III, § 1491

SEC. 4. Any part of any judgment rendered hereunder which represents sums actually deposited to the credit of said Klamath and Modoc Tribes and Yahooskin Band of Snake Indians for timber cut from tribal lands shall be paid by the Secretary of the Treasury, upon appropriation by the Congress, from any funds in the Treasury of the United States to the credit of said tribe. Any other part of any judgment rendered shall be payable in the same manner as in the case of claims over which the Court of Claims has jurisdiction under section 1491 of title 28 of the United States Code.

62 Stat. 977
28 U. S. C., Sup. III, § 2508

62 Stat. 940.
28 U. S. C., Sup. III, § 1491.

Approved, January 3, 1951.

[CHAPTER 1205]

January 3, 1951
[S. 3967]

AN ACT

[Private Law 1089]
64 Stat. A273

To confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Algoma Lumber Company and its successors in interest, George R. Birkelund and Charles E. Siddall, of Chicago, Illinois, and Kenyon T. Fay, of Los Angeles, California, trustees of the Algoma Lumber Liquidation Trust.

Algoma Lumber Co.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 2103 of the Revised Statutes (U. S. C., title

25, sec. 81) and notwithstanding any statute of limitations or lapse of time or any limitation upon the jurisdiction of the Court of Claims with respect to claims upon any contract implied in law, jurisdiction is hereby conferred upon such court to hear, determine, and render judgment upon the claim of the Algoma Lumber Company ⊥(including the claim of George R. Birkelund and Charles E. Siddall, of Chicago, Illinois, and Kenyon T. Fay, of Los Angeles, California, trustees of the Algoma Lumber Liquidation Trust, successors by transfer, conveyance, and assignment thereof) either against the United States in a fiduciary capacity for the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians or against said Klamath and Modoc Tribes and Yahooskin Band of Snake Indians in connection with the contract construed by such court in its decision dated January 12, 1938, in the case of Algoma Lumber Company, a corporation, against the United States (86 C. Cls. 226). ⊥A274

SEC. 2. The amount of any judgment awarded by the Court of Claims upon such claim shall not exceed the amount of the judgment heretofore awarded by such court in the case of Algoma Lumber Company, a corporation, against the United States (86 C. Cls. 226, 271).

SEC. 3. Suit upon such claim may be instituted by or on behalf of the Algoma Lumber Company or by the said trustees as successors in interest thereto at any time within one year after the date of enactment of this Act. Proceedings for the determination of such claim and review thereof shall be had as in the case of claims over which such court has jurisdiction under section 1491 of title 28 of the United States Code, and the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians shall be entitled to be represented in such proceedings, if they so desire, by legal counsel employed in conformity with the provisions of section 2103 of the Revised Statutes (25 U. S. C. 81). In the trial of any such suit the Court of Claims shall have jurisdiction to hear and determine any defenses available under the rules of law and equity applicable to contracts made by the United States, defenses of waiver or estoppel based on the course of dealing between the parties, and defenses based on mistake of law or fact, including any failure to collect sums payable under the contract involved in such suit by reason of mistake of law or fact, and shall determine the liability, if any, of the parties defendant as the facts and law require. Parol evidence shall be admissible for the purposes of proving or disproving such defenses notwithstanding any limitation upon the admissibility of parol evidence in suits involving contracts in writing. Any set-off, counterclaim, claim for damages, or other demand set up on the part of any defendant shall be heard and determined by the court in accordance with the provisions of section 2508 of title 28 of the United States Code. 62 Stat. 940. 28 U. S. C., Sup. III, § 1491. 62 Stat. 977. 28 U. S. C., Sup. III, § 2508.

SEC. 4. Any part of any judgment rendered hereunder which represents sums actually deposited to the credit of said Klamath and Modoc Tribes and Yahooskin Band of Snake Indians for timber cut from tribal lands shall be paid by the Secretary of the Treasury, upon appropriation by the Congress, from any funds in the Treasury of the United States to the credit of said tribe. Any other part of any judgment rendered shall be payable in the same manner as in the case of claims over which the Court of Claims has jurisdiction under section 1491 of title 28 of the United States Code. 62 Stat. 940. 28 U. S. C., Sup. III, § 1491.

Approved, January 3, 1951.

PUBLIC LAWS OF THE EIGHTY-SECOND CONGRESS, FIRST SESSION, 1951

PUBLIC LAW 45 CHAPTER 121

AN ACT

June 2, 1951
[H. R. 3587]
65 Stat. 52

Making supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes.

Third Supplemental Appropriation Act, 1951

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes, namely:

* * *

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CHAPTER VII—DEPARTMENT OF THE INTERIOR

64 Stat. 679.

* * *

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

For an additional amount for "Construction", $3,650,000, to remain available until expended.

* * *

Approved, June 2, 1951.

PUBLIC LAW 118 CHAPTER 335

AN ACT

August 20, 1951
[H. R. 3782]

65 Stat. 193

To authorize a per capita payment to members of the Menominee Tribe of Indians.

Menominee Tribe of Indians

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to withdraw from the Menominee 5 per centum fund in the Treasury and to expend such amount as is necessary to make a per capita payment of $150 to each individual entered on the roll of the Menominee Tribe of Indians of Wisconsin as of December 31, 1950.

Approved, August 20, 1951.

PUBLIC LAW 120 CHAPTER 338

AN ACT

August 21, 1951
[H. R. 3795]

65 Stat. 193

To provide for the use of the tribal funds of the Ute Indian Tribe of the Uintah and Ouray Reservation, to authorize a per capita payment out of such funds, to provide for the division of certain tribal funds with the Southern Utes, and for other purposes.

Ute Indian Tribe Tribal funds

194

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of existing law, the tribal funds now on deposit or hereafter deposited in the United States Treasury to the credit of the Ute Indian Tribe of the Uintah and Ouray Reservation may be expended or advanced for such purposes, including per capita payments, as may be designated by the Tribal Business Committee of said tribe and approved by the Secretary of the Interior: *Provided,* That the aggregate amount of the expenditures and advances authorized by this section shall not exceed 33⅓ per centum of such tribal funds now on deposit: *Provided further,* That with the exception of a $1,000 per capita payment which is hereby authorized, no per capita payment shall be approved by the Secretary of the Interior from the principal of any judgment obtained under the Jurisdictional Act of June 28, 1938 (52 Stat. 1209), as amended, without further legislation: *Provided further,* That any funds advanced for loans by the tribe to individual Indians or associations of Indians shall be subject to regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C., sec. 470): *Provided further,* That no part of the funds authorized to be expended or advanced by this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the preparation or prosecution of the suit or suits in the Court of

Funds for loans

48 Stat. 984.

Claims which resulted in any or all of the judgments handed down by said court on July 13, 1950, unless approved by the said court in the proceeding now pending before said court for the adjudication of attorneys' fees, or to any agent or attorney account of any contract for services rendered or to be rendered in the preparation of any suit against the United States.

Division of trust funds

SEC. 2. The Secretary of the Interior is hereby authorized and directed to divide the trust funds belonging to the Confederated Bands of Ute Indians and deposited in the United States Treasury pursuant to the Act of June 30, 1919 (41 Stat. 33), section 11 of the Act of June 28, 1934 (48 Stat. 1273), as amended, and the Act of June 28, 1938 (52 Stat. 1211), as amended, including the interest thereon, by crediting 60 per centum to the Ute Indian Tribe of the Uintah and Ouray Reservation, consisting of the Uintah, Uncompahgre, and White River Utes, and 40 per centum to the Southern Utes, consisting of the Southern Utes of the Southern Ute Reservation and the Ute Mountain Tribe of the Ute Mountain Reservation. The resolution adopted June 1, 1950, by the members of the Uncompahgre, White River, and Uintah bands of Ute Indians compromising and settling all existing controversies between themselves as to ownership and distribution of any judgments which may be obtained against the United States and as to ownership of land within the Uintah and Ouray Reservation and income issuing therefrom by providing that the same shall become the tribal property of all the Indians of the Ute Indian Tribe of the Uintah and Ouray Reservation without regard to band derivation is hereby ratified, approved and confirmed. The funds apportioned to the Southern Utes under this section shall be divided between the Southern Utes of the Southern Ute Reservation and the Ute Mountain Tribe of the Ute Mountain Reservation as agreed between said tribes. The shares of the respective groups shall be credited to the existing accounts established pursuant to the Act of May 17, 1926 (44 Stat. 560), and the Act of June 13, 1930 (46 Stat. 584). None of the funds involved herein shall be credited or distributed to the Ute Indian Tribe of the Uintah and Ouray Reservation, consisting of the Uintah, Uncompahgre, and White River Utes, until the Uncompahgre and White River Bands present to the Secretary of the Interior a release satisfactory to him, relieving the United States of any liability resulting from the inclusion of the Uintah Band in the disposition or use of said trust funds.

25 U. S. C. § 399.
43 U. S. C. § 315j.

Ratification of resolution adopted June 1, 1950.

25 U. S. C. § 155.
25 U. S. C. §§ 161a-161d.

⊥SEC. 3. The Secretary of the Interior shall make a full and complete annual progress report to the Congress of his activities and of the expenditures authorized under section 1.

⊥195

Report to Congress.

Approved, August 21, 1951.

PUBLIC LAW 133 CHAPTER 367

AN ACT

August 30, 1951
[S. 950]

65 Stat. 208

To amend the Act authorizing the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapaho Tribes of the Wind River Reservation for the purpose of extending the time in which payments are to be made to members of such tribes under such Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second proviso of section 2 of the Act entitled "An Act to authorize the segregation and expenditures of trust funds held in joint ownership by the Shoshone and Arapaho Tribes of the Wind River Reservation", ⊥approved May 19, 1947 (61 Stat. 102), is amended by striking out "existing" and inserting in lieu thereof "any".

Shoshone and Arapaho Tribes.
Trust funds.

⊥209

25 U. S. C. § 612.

SEC. 2. The first proviso of section 3 of such Act is amended by striking out "five" and inserting in lieu thereof "ten".

Approved, August 30, 1951.

PUBLIC LAW 136 CHAPTER 375

August 31, 1951
[H. R. 3790]

65 Stat. 248

AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1952, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Interior Department Appropriation Act, 1952.

TITLE I—DEPARTMENT OF THE INTERIOR

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1952, namely:

* * *

1251 ⊥BUREAU OF LAND MANAGEMENT

* * *

1252 ⊥PAYMENT TO OKLAHOMA (ROYALTIES)

For payment to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under the provisions of the joint resolution of June 12, 1926 (44 Stat. 740), to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (30 U. S. C. 191), sums equal to 37½ per centum of the royalties received during the current and each succeeding fiscal year, from the south half of Red River in Oklahoma under the provisions of said joint resolution of June 12, 1926, to remain available until expended.

41 Stat. 450.

* * *

BUREAU OF INDIAN AFFAIRS

HEALTH, EDUCATION, AND WELFARE SERVICES

For expenses necessary to provide health, education, and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission) of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $41,824,750, of which not to exceed $23,699,661 shall be available for personal services.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment ⊥of irrigation assessments and charges; acquisition of water rights; conducting agricultural experiments and demonstrations; furnishing plants or seed to Indians; advances for Indian industrial and business enterprises; payment of expenses of Indian fairs, including premiums for exhibits; and development of Indian arts and crafts as authorized by law (25 U. S. C. 305), including expenses of exhibits; $10,921,360, of which not to exceed $6,843,485 shall be available for personal services.

1253

49 Stat. 891

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, roads and trails, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; to remain available until expended, $10,000,000, of which not to exceed

$2,500,000 shall be available for personal services, and of which not to exceed $3,125,000 is for liquidation of obligations incurred pursuant to authority previously granted: *Provided,* That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further,* That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations: *Provided further,* That no part of this appropriation shall be used for construction or repair of the Tongue River Indian Reservation electric line, Montana, but the Secretary is hereby authorized to enter into a reimbursable contract with the Tongue River Electric Cooperative, Incorporated, Montana, with respect to maintenance, operation, and subsequent transfer of ownership of said line and the Bureau of Indian Affairs may accept payment for such line in the form of credit on electric bills.

Restrictions

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $3,300,747, of which not to exceed $2,693,281 shall be available for personal services.

REVOLVING FUND FOR LOANS

For an additional amount for loans as authorized by sections 10 and 11 of the Act of June 18, 1934 (25 U. S. C. 470, 471), as amended and supplemented, and section 1 of the Act of April 19, 1950 (Public Law 474), $800,000.

48 Stat. 986.

64 Stat. 44.

25 U. S. C. §§ 631–640.

PAYMENT TO CHOCTAW AND CHICKASAW NATIONS OF INDIANS, OKLAHOMA

For an additional amount for "Payment to Choctaw and Chickasaw Nations of Indians, Oklahoma", for defraying the expenses of making per capita payments authorized by the Acts of June 28, 1944 (58 Stat. 483), and June 24, 1948 (Public Law 754, Eightieth Congress), $22,655, of which not to exceed $21,105 shall be available for personal services.

62 Stat. 596.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for purchase of not to exceed one hundred and sixty passenger motor vehicles for replacement only, which may be used for the transportation of Indians; ⊥purchase of ice for official use of employees; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), including not to exceed $5,000 for expenditure at rates for individuals not in excess of $50 per diem on irrigation and power matters, when authorized by the Secretary; and expenses required by continuing or permanent treaty provisions.

⊥254

60 Stat. 810.

CLAIMS AND TREATY OBLIGATIONS

For fulfilling treaties with Senecas and Six Nations of New York, Choctaws and Pawnees of Oklahoma, and payment to Indians of Sioux reservations, to be expended as provided by law, such amounts as may be necessary June 30, 1951.

PROCEEDS FROM POWER

Sums not in excess of the amount of power revenues covered into the Treasury during the current and each succeeding fiscal year to the credit of each of the power projects, including revenues credited

prior to August 7, 1946, to remain available until expended for the purposes authorized by section 3 of the Act of August 7, 1946, as amended (31 U. S. C. 725s–3), in connection with the respective projects from which such revenues are derived.

60 Stat. 895

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $2,109,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and tribes, including pay and travel expenses of employees; care, tuition and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a recreational director for the Menominee Reservation and a curator for the Osage Museum, each of whom shall be appointed with the approval of the respective tribal councils and without regard to the classification laws: *Provided,* That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided, however,* That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations.

Travel expenses.

18 U. S. C. § 4124. Recreational director and curator, Osage Museum.

Restriction.

* * *

Approved, August 31, 1951.

PUBLIC LAW 137 CHAPTER 376

AN ACT

August 31, 1951 [H. R. 3880]

65 Stat. 268

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1952, and for other purposes.

Independent Offices Appropriation Act, 1952.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1952, namely:

TITLE I

* * *

1276 ⊥HOUSING AND HOME FINANCE AGENCY

* * *

1277 ⊥INDIAN CLAIMS COMMISSION

60 Stat. 1049.

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1945 (25 U. S. C. 70), creating an Indian Claims Commission, $89,600, of which not more than $84,600 shall be available for personal services.

* * *

Approved, August 31, 1951.

PUBLIC LAW 197 CHAPTER 546

AN ACT

To amend title 18, United States Code, entitled "Crimes and Criminal Procedure," to empower the courts to remit or mitigate forfeitures under the Indian liquor laws.

October 24, 1951
[H. R. 1087]

65 Stat. 609

Title 18, U.S. Code, amendment
62 Stat. 839

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the analysis of chapter 229 of title 18, United States Code, is amended by inserting at the end thereof "3619. Disposition of conveyances seized for violation of the Indian liquor laws."

SEC. 2. Title 18, United States Code, is further amended by inserting immediately following section 3618 thereof a new section to be designated "section 3619" and to read as follows:

"§ 3619. DISPOSITION OF CONVEYANCES SEIZED FOR VIOLATION OF THE INDIAN LIQUOR LAWS

"The provisions of section 3617 of this title shall apply to any conveyances seized, proceeded against by libel, or forfeited under the provisions of section 3113 or 3618 of this title for having been used in introducing or attempting to introduce intoxicants into the Indian country or into other places where such introduction is prohibited by treaty or enactment of Congress."

Approved, October 24, 1951.

PUBLIC LAW 209 CHAPTER 562

AN ACT

To amend or repeal certain laws relating to Government records, and for other purposes.

October 25, 1951
[S. 1967]

65 Stat. 638

Government records.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, . . .

* * *

⊥SEC. 4. The following Acts and parts of Acts are amended, as shown below: ⊥640

* * *

(5) By deleting all after the enacting clause of the Act of March 27, 1934, chapter 93 (48 Stat. 501; 25 U. S. C. 199a) and by substituting therefor "That title to records of Indian tribes heretofore placed with the Oklahoma Historical Society of the State of Oklahoma by the Secretary of the Interior shall remain vested in the United States and such records shall be held by the said society under rules and regulations prescribed by the Administrator of General Services: *Provided,* That copies of any such records, documents, books, or papers held by the said society when certified by secretary or chief clerk thereof under its seal, or by the officer or person acting as secretary or chief clerk, shall be evidence equally with the original, and in making such certified copies the said secretary or acting secretary and the said chief clerk or acting chief clerk shall be acting as a Federal agent, and such certified copies shall have the same force and effect as if made by the Administrator of General Services as provided in section 509 (b) of the Federal Records Act of 1950 (64 Stat. 583): *Provided further,* That whenever such certified copies are desired for official use by the Federal Government they shall be furnished without cost: *Provided further,* That any such records held by the said society shall be promptly returned to the Government official designated by the Administrator of General Services upon his request therefor."

Title to records of certain Indian tribes.

Certified copies.

41 U. S. C. § 288.

Return of records.

* * *

Approved, October 25, 1951.

PUBLIC LAW 231 CHAPTER 629

AN ACT

October 30, 1951
[S. 1311]
65 Stat. 663

Granting the consent of Congress to a compact entered into by the States of Montana, North Dakota, and Wyoming relating to the waters of the Yellowstone River.

Yellowstone River compact
Consent of Congress

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress is hereby given to an interstate compact relating to the waters of the Yellowstone River which was signed (after negotiations in which a representative of the United States duly appointed by the President participated) by the Commissioners for the States of Montana, North Dakota, and Wyoming on December 8, 1950, at Billings, Montana, and which was thereafter ratified by the legislatures of each of the States aforesaid as provided by Public Law 83, Eighty-first Congress, approved June 2, 1949, which compact reads as follows:

63 Stat. 152

* * *

1668

ARTICLE VI

Nothing contained in this Compact shall be so construed or interpreted as to affect adversely any rights to the use of the waters of Yellowstone River and its tributaries owned by or for Indians, Indian tribes, and their reservations.

* * *

Approved, October 30, 1951.

PUBLIC LAW 247 CHAPTER 654

AN ACT

October 31, 1951
[S. 1952]
65 Stat. 701

To amend or repeal certain Government property laws, and for other purposes.

Government property.
Repeals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following Acts and parts of Acts are hereby repealed:

* * *

1706

(113) Section 2 of the Act of August 8, 1946 (60 Stat. 958; 42 U. S. C. 1574).

* * *

Approved, October 31, 1951.

PUBLIC LAW 248 CHAPTER 655

AN ACT

October 31, 1951
[H. R. 3899]
65 Stat. 710
61 Stat. 633.

To amend certain titles of the United States Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * *

1721

SEC. 30. Section 3113 of Title 18, United States Code, is amended by striking out, in the second paragraph of such section, the words "War Department" and in lieu thereof inserting "Department of the Army", so that such section will read as follows:

1722

"§ 3113. LIQUOR VIOLATIONS IN INDIAN COUNTRY

"If any superintendent of Indian affairs, or commanding officer of a military post, or special agent of the Office of Indian Affairs for the suppression of liquor traffic among Indians and in the Indian country and any authorized deputies under his supervision has probable cause to believe that any person is about to introduce or has introduced any spirituous liquor, beer, wine or other intoxicating liquors named in

sections 1154 and 1156 of this title into the Indian country in violation of law, he may cause the places, conveyances, and packages of such person to be searched. If any such intoxicating liquor is found therein, the same, together with such conveyances and packages of such person, shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one-half to the informer and one-half to the use of the United States. If such person be a trader, his license shall be revoked and his bond put in suit.

"Any person in the service of the United States authorized by this section to make searches and seizures, or any Indian may take and destroy any ardent spirits or wine found in the Indian country, except such as are kept or used for scientific, sacramental, medicinal, or mechanical purposes or such as may be introduced therein by the Department of the Army.

"In all cases arising under this section and sections 1154 and 1156 of this title, Indians shall be competent witnesses." . . .

* * *

Approved, October 31, 1951.

PUBLIC LAW 253 CHAPTER 664

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1952, and for other purposes.

November 1, 1951
[H. R. 5215]
65 Stat. 736

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1952, and for other purposes, namely:

Supplemental Appropriation Act, 1952

* * *

⊥CHAPTER VI—DEPARTMENT OF THE INTERIOR ⊥741

* * *

⊥BUREAU OF INDIAN AFFAIRS ⊥742

Resources management: For an additional amount for "Resources management", $300,000, and the limitation under this head in the Interior Department Appropriation Act, 1952, on the amount available for personal services is increased by $56,980.

Ante, p. 252

Construction: For an additional amount for "Construction", $575,000, to remain available until expended; and the limitation under this head in the Department of the Interior Appropriation Act, 1952, on the amount available for personal services is increased by "$142,950": *Provided*, That no obligation shall be incurred under appropriations granted under this head for construction of school facilities at Ponemah, Minnesota, until school district number 45 of the State of Minnesota shall be deposited into the Treasury to the credit of this appropriation an amount equal to the proceeds of the insurance collected on the destroyed Ponemah school plant: *Provided further*, That not to exceed $3,000 of appropriations for the fiscal year 1952 under this head for acquisition of land may be used for purchase in the name of the United States in trust twenty acres of land in Placer County, California, for the use of the Indians of Auburn Rancheria.

School facilities at Ponemah, Minn.

Land for Indians of Auburn Rancheria

* * *

⊥CHAPTER XII—REDUCTIONS IN APPROPRIATIONS, CONTRACT AUTHORIZATIONS, AND AUTHORIZATIONS TO BORROW FROM THE TREASURY ⊥755

Appropriations, contract authorizations, and authorizations to borrow from the Treasury, of the departments and agencies, available in

the fiscal year 1951, are hereby reduced in the sums and in the manner set forth in House Document Numbered 182, Eighty-second Congress, except that the rescission proposed for the Bureau of Indian Affairs under "Construction" shall be $4,240,000 instead of $4,340,000 as set forth in said document.

* * *

Approved, November 1, 1951.

PUBLIC LAW 254 CHAPTER 665

AN ACT

November 1, 1951
[H. R. 5650]
65 Stat. 760

Making supplemental appropriations for the fiscal year ending June 30, 1952, and for other purposes.

Second Supplemental Appropriation Act, 1952.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1952, and for other purposes, namely:

* * *

1761

⊥CHAPTER IV—DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

Commutation of treaty obligations, Choctaw Nation of Indians in Oklahoma: For commutation of treaty obligations with the Choctaw Nation of Indians in Oklahoma in accordance with the Act of September 1, 1950 (Public Law 747), $385,000, including not to exceed $34,333 for defraying expenses of making per capita payments authorized by said Act, to remain available until expended.

64 Stat. 573

RESOURCES MANAGEMENT

For an additional amount for "Resources Management," for the development of additional water supplies on the Navajo Reservation, $250,000, to remain available until expended: *Provided*, That development shall be made after consultation and approval of the Navajo Tribal Council.

* * *

Approved, November 1, 1951.

PRIVATE LAWS OF THE EIGHTY-SECOND CONGRESS, FIRST SESSION, 1951

PRIVATE LAW 108 CHAPTER 168

AN ACT

June 28, 1951
[H. R. 630]
65 Stat. A42

Authorizing the Secretary of the Interior to issue a patent in fee to Richard James Brown.

Richard James Brown.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Richard James Brown a patent in fee to the following-described lands allotted to him on the Blackfeet Indian Reservation, Montana: The west half of the northwest quarter, section 12, township 37 north, range 10 west, Montana principal meridian, containing eighty acres.

SEC. 2. Said patent in fee when issued shall contain a reservation to the Blackfeet Indian Tribe of the oil, gas, and all other mineral deposits as provided in the Act of June 30, 1919 (41 Stat. 16).

Approved, June 28, 1951.

PRIVATE LAW 109 CHAPTER 169

AN ACT

June 28, 1951
[H. R. 631]
65 Stat. A42

Authorizing the Secretary of the Interior to issue a patent in fee to Alice E. Williams Sisk.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Alice E. Williams Sisk a patent in fee to the following-described land allotted to her within the Crow Indian Reservation, Montana: Lots 10, 11, and 12 of section 3 and the west half and the west half of the east half of section 10, township 2 south, range 29 east, Montana principal meridian, comprising five hundred ninety-five and sixty-four one-hundredths acres. Alice E. Williams Sisk.

Approved, June 28, 1951.

PRIVATE LAW 111 CHAPTER 171

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Percival H. Glenn.

June 28, 1951
[H. R. 964]
65 Stat. A43

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Percival H. Glenn a patent in fee to the following-described lands, known as allotment numbered 2368 on the Crow Indian Reservation, Montana: The west half of the southwest quarter of section 3, lots 1, 2, 3, and 4 and the southeast quarter of section 4 and the west half of the northwest quarter of section 10, township 4 south, and the east half of section 33 and the west half of the west half of section 34, township 3 south, range 27 east, Montana principal meridian, containing nine hundred ninety-six and twenty-four one-hundredths acres. Percival H. Glenn.

Approved, June 28, 1951.

PRIVATE LAW 113 CHAPTER 173

AN ACT

To authorize the sale of certain allotted land on the Crow Reservation, Montana.

June 28, 1951
[H. R. 3215]
65 Stat. A44

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, upon application in writing, is hereby authorized to sell the remaining lands contained in trust allotment numbered 3613 of Eloise White Bear, described as the southeast quarter of section 14; the northeast quarter, and the west half of the southeast quarter, and the west half of the east half of the southeast quarter of section 23; the west half of the northeast quarter, and the northwest quarter of section 24, all in township 8 south, range 37 east, Montana principal meridian, containing six hundred and eighty acres, conveyance to be made by deed or the issuance of a patent in fee to the purchaser and to disburse the proceeds of such sale to Eloise White Bear for her benefit. Eloise White Bear.

Approved, June 28, 1951.

PRIVATE LAW 114 CHAPTER 174

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Lulu M. Whitebear.

June 28, 1951
[H. R. 3216]
65 Stat. A44

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Lulu M. Whitebear a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Montana: The east half of section 11, the northwest quarter of the northwest quarter, the northwest quarter of the southwest quarter and the south half of the southwest quarter, section 12, and the northeast quarter of section 14, township 8 south, Lulu M. Whitebear.

range 37 east, Montana principal meridian, containing six hundred and forty acres.

Approved, June 28, 1951.

PRIVATE LAW 137 CHAPTER 210

AN ACT

July 5, 1951
[H. R. 2349]
65 Stat. A53

Authorizing the Secretary of the Interior to issue patents in fee to certain allottees on the Crow Indian Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to the following-named persons patents in fee to their allotted lands on the Crow Indian Reservation, Montana:

Estella Wolfe

Estella Wolfe, the south half of the southeast quarter of section 20, the northeast quarter, and the northeast quarter of the southeast quarter of section 29; the south half of the southwest quarter of section 21; the northwest quarter, the north half of the southwest quarter, and the northwest quarter of the southeast quarter of section 28, township 5 south, range 38 east, Montana principal meridian, containing six hundred and forty acres.

Mark Wolfe.

Mark Wolfe, the south half of the northeast quarter, and the southeast quarter of section 24; the north half of the northeast quarter of section 25, township 5 south, range 37 east; the south half of the southwest quarter of section 20; the northwest quarter of section 29, township 5 south, range 38 east, Montana principal meridian, containing five hundred and sixty acres.

Furman E. Wolfe

Furman E. Wolfe, the south half of the southwest quarter of section 29; the northwest quarter, the south half, and the southeast quarter of the northeast quarter of section 32, township 5 south, range 38 east, Montana principal meridian, containing six hundred acres.

Approved, July 5, 1951.

PRIVATE LAW 191 CHAPTER 302

AN ACT

August 11, 1951
[H. R. 629]
65 Stat. A73

To authorize the sale of certain allotted land on the Blackfeet Reservation, Montana.

Mabel Monroe Bonds
Sale of land

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, upon application in writing, is hereby authorized to sell the homestead allotment numbered 1641 of Mabel Monroe Bonds, described as lot 6 and the north half of the northwest quarter of the southeast quarter of section 33, township 36 north, range 14 west, Montana principal meridian, containing seventy-six and sixty-one one-hundredths acres, and to disburse the procees of such sale for the benefit of Mabel Monroe Bonds.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser, other than the Blackfeet Tribe or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Blackfeet Agency shall have been served with notice of the terms thereof and such notice, together with a description of the lands, and an offer by the owner thereof to sell such lands upon the terms specified in such notice to the Blackfeet Tribe or any member thereof, shall have been posted for such period of time in a conspicuous public place at such agency, and (2) prior to the expiration of such sixty days no bona fide offer to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Blackfeet Tribe or any member thereof and reported to the Superintendent of the Blackfeet Agency.

(b) A certificate of the Superintendent of the Blackfeet Agency

stating that notice of the proposed sale was given and posted in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection shall, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated, be conclusive evidence of compliance with this section.

(c) That, if the land is purchased by the Blackfeet Tribe or a member thereof, title shall be conveyed by deed to the United States in trust for the purchaser, and if the land is purchased by a non-Indian a patent in fee shall be issued to the purchaser.

Approved, August 11, 1951.

PRIVATE LAW 229 CHAPTER 361

AN ACT

August 29, 1951
[S. 818]
65 Stat. A87

To authorize the sale of certain allotted land on the Crow Reservation, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, upon application in writing, is hereby authorized to sell the homestead allotment numbered 3507 of Ellsworth Schroeder, described as the southwest quarter of the northwest quarter, the east half of the northwest quarter, and the northeast quarter of section 29; the west half of the northwest quarter and the west half of the east half of the northwest quarter in section 28, township 9 south, range 34 east, Montana principal meridian, containing approximately four hundred acres, and to disburse the proceeds of such sale for the benefit of Ellsworth Schroeder.

Ellsworth Schroeder

Approved, August 29, 1951.

PRIVATE LAW 230 CHAPTER 362

AN ACT

August 29, 1951
[S. 1033]
65 Stat. A87

Authorizing the Secretary of the Interior to issue a patent in fee to Lucille Ellen Sanders Groh.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue a patent in fee to Lucille Ellen Sanders Groh for the following-described land in the State of Montana: The south half of the southeast quarter of section 27, and all of section 34, township 4 south, range 28 east, principal meridian, containing approximately seven hundred and twenty acres.

Lucille Ellen Sanders Groh.

⊥SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser other than the Crow Tribe or a member thereof, unless (1) at least sixty days prior to such sale the superintendent of the Crow Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Crow Tribe or any member thereof and a copy thereof served upon the superintendent of the Crow Agency.

⊥A88

(b) A certificate of the superintendent of the Crow Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated shall be conclusive evidence of compliance with this

section. The superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, August 29, 1951.

PRIVATE LAW 231 CHAPTER 363

August 29, 1951
[S. 1034]
65 Stat. A88

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Julia Jackson Sanders.

Julia Jackson Sanders.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue a patent in fee to Julia Jackson Sanders for the following-described lands in the State of Montana: The north half of the north half of section 28, and the south half of the southeast quarter in section 21, all in township 4 south, range 28 east, Montana principal meridian, containing approximately two hundred and forty acres.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser other than the Crow Tribe or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Crow Agency shall have been served with notice of the terms thereof and a copy of such notice, together with a description of the lands, shall have been posted by the Superintendent in a conspicuous public place at such agency and have remained posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Crow Tribe or any member thereof and a copy thereof served upon the Superintendent of the Crow Agency.

(b) A certificate of the Superintendent of the Crow Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated shall be conclusive evidence of compliance with
1A89
⊥this section. The Superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, August 29, 1951.

PRIVATE LAW 232 CHAPTER 364

August 29, 1951
[S. 1036]
65 Stat. A89

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Julia Jackson Sanders.

Julia Jackson Sanders.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue a patent in fee to Julia Jackson Sanders for the following-described lands in the State of Montana: The north half and the southwest quarter, and the north half of the southeast quarter of section 27, and the south half of the southwest quarter in section 22, all in township 4 south, range 28 east, Montana principal meridian, containing approximately six hundred and forty acres.

SEC. 2. (a) The lands herein described shall not be sold after the date of enactment of this Act to any purchaser other than the Crow Tribe or a member thereof, unless (1) at least sixty days prior to such sale the Superintendent of the Crow Agency shall have been served with a description of the lands, shall have been posted by the Superintendent in a conspicuous public place at such agency and have remained

posted for a period of sixty days, and (2) prior to the expiration of such sixty days no bona fide offer in writing to purchase such land upon the terms specified in such notice, or upon terms more favorable to the owner, shall have been made by the Crow Tribe or any member thereof and a copy thereof served upon the Superintendent of the Crow Agency.

(b) A certificate of the Superintendent of the Crow Agency stating that notice of the proposed sale was served upon him and was posted by him for a period of sixty days in accordance with the provisions of clause (1) of subsection (a) and that no offer was received in accordance with clause (2) of such subsection, when filed and recorded in the office of the county clerk and recorder of the county in which such lands are situated shall be conclusive evidence of compliance with this section. The Superintendent shall furnish the certificate to the purchaser for filing and recording.

Approved, August 29, 1951.

PRIVATE LAW 367 CHAPTER 585

AN ACT

October 26, 1951
[H. R. 3840]
65 Stat. A136

Authorizing the Secretary of the Interior to issue a patent in fee to Laura A. Craig.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Laura A. Craig a patent in fee to the following-described land on the Blackfeet Indian Reservation: Lot 6, section 19, township 31 north, range 12 west, Montana principal meridian, containing eighteen and eight one-hundredths acres.

Approved, October 26, 1951.

PRIVATE LAW 370 CHAPTER 595

AN ACT

October 27, 1951
[H. R. 4219]
65 Stat. A137

Authorizing the Secretary of the Interior to issue a patent in fee to Louis W. Milliken.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Louis W. Milliken a patent in fee to the following-described lands on the Crow Indian reservation, Montana: lots 4, 9, and 10, section 31, township 4 south, range 27 east, Montana principal meridian; lot 5, section 6, township 5 south, range 27 east, Montana principal meridian; east half of the southeast quarter, section 36, township 4 south, range 26 east, Montana principal meridian; and lot 1 and the southeast quarter of the northeast quarter, section 1, township 5 south, range 26 east, Montana principal meridian, containing three hundred eight and twenty-eight one-hundredths acres.

Louis W. Milliken

Approved, October 27, 1951.

PRIVATE LAW 371 CHAPTER 596

AN ACT

October 27, 1951
[H. R. 4351]
65 Stat. A137

Authorizing the Secretary of the Interior to issue a patent in fee to Ursula Rutherford Ollinger.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Ursula Rutherford ⊥Ollinger a patent in fee to the following-described lands on the Crow Indian Reservation, Montana: Lots 7, 8, 9, and 10 of section 6; lots 1, 2, 3, and 4, the east half of the west half and the east half of section 7; and lot 1, the northeast quarter of the northwest quarter and the

Ursula Rutherford Ollinger.

⊥A138

northeast quarter of section 18, township 2 south, range 31 east, Montana principal meridian, containing one thousand sixteen and twenty-one one-hundredths acres more or less.

Approved, October 27, 1951.

PRIVATE LAW 372 CHAPTER 597

October 27, 1951
[H. R. 4352]
65 Stat. A138

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Mary Rutherford Spearson.

Mary Rutherford Spearson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Mary Rutherford Spearson a patent in fee to the following-described lands on the Crow Indian Reservation, Montana: Lots 5, 6, 7, and 8 of section 5; section 8; the west half of the west half of section 9; and the north half of the northwest quarter of section 17, township 2 south, range 31 east, Montana principal meridian, containing one thousand forty-one and ninety-two one-hundredths acres more or less.

Approved, October 27, 1951.

PRIVATE LAW 411 CHAPTER 662

October 31, 1951
[H. R. 3838]
65 Stat. A150

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Joseph Pickett.

Joseph Pickett.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Joseph Pickett a patent in fee to the following-described lands on the Crow Indian Reservation, Montana: Southwest quarter and the south half of the south-east quarter of section 13, the southeast quarter of section 14, and the north half of section 24, township 2 south, range 36 east, Montana principal meridian, comprising seven hundred and twenty acres. The prior disposition of the homestead lands of Joseph Pickett is hereby ratified and confirmed.

A151

Approved, October 31, 1951.

CONCURRENT RESOLUTION OF THE EIGHTY-SECOND CONGRESS, FIRST SESSION, 1951

CERTAIN ALLOTTEES ON CROW INDIAN RESERVATION

June 28, 1951
[H. Con. Res. 134]
65 Stat. B76

Return of bill (H. R. 2349) requested.
Ante, p. A53.

Resolved by the House of Representatives (the Senate concurring), That the President of the United States is hereby requested to return to the House of Representatives the enrolled bill (H. R. 2349) authorizing the Secretary of the Interior to issue patents in fee to certain allottees on the Crow Indian Reservation; that if and when such bill is returned by the President, the action of the Speaker of the House of Representatives and of the President of the Senate in signing such bill is hereby rescinded; and that the Clerk of the House of Representatives is hereby authorized and directed, in the reenrollment of such bill, to strike out in the paragraph thereof which relates to the issuance of a patent in fee to Estella Wolfe the phrase which reads "the northwest quarter of the southeast quarter," and to insert in lieu thereof "and the northwest quarter of the southeast quarter of section 28,".

Passed June 28, 1951.

PUBLIC LAWS OF THE EIGHTY-SECOND CONGRESS, SECOND SESSION, 1952

PUBLIC LAW 259 CHAPTER 19

February 12, 1952
[S. 2169]
66 Stat. 7

AN ACT

Authorizing the acquisition by the Secretary of the Interior of the Gila Pueblo, in

Gila County, Arizona, for archeological laboratory and storage purposes, and for other purposes.

Gila Pueblo, Ariz.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to acquire for archeological laboratory ⊥and storage purposes, and for general monument uses in connection with the National monuments of the Southwest, the property near Globe, Arizona, known as the Gila Pueblo. For such acquisition, and expenses incidental thereto, there is authorized to be appropriated not to exceed $75,000.

Appropriation.

Approved, February 12, 1952.

PUBLIC LAW 288 CHAPTER 126

AN ACT

April 1, 1952
[H. R. 3847]
66 Stat. 32

To authorize the Secretary of the Interior to issue to School District Numbered 28, Ronan, Montana, a patent in fee to certain Indian land.

Interior Department.
Issuance of land patent, Mont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed, with the consent of the Tribal Council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, to issue to School District Numbered 28, Ronan, Montana, a patent in fee to certain land situated in Ronan, Montana, and more particularly described as follows: South half northwest quarter southwest quarter southeast quarter, section 36, township 21 north, range 20 west, containing five acres, more or less, of Tribal Agency Reserve Land.

Approved, April 1, 1952.

PUBLIC LAW 291 CHAPTER 129

AN ACT

April 3, 1952
[H. R. 1043]
66 Stat. 35

To provide for medical services to non-Indians in Indian hospitals, and for other purposes.

Indian hospitals.
Services to non-Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in any areas where there are inadequate hospital beds and health facilities available to serve the non-Indian population, the Secretary of the Interior is authorized in his discretion to make available to non-Indians, hospital and health facilities operated by the Indian Bureau which are not being utilized for Indians, at such fees and under such terms and conditions as he may prescribe: *Provided*, That the fees charged will not be less than the per diem cost per patient of operating and maintaining the hospital or the health activity.

Transfers of Indian hospitals.

SEC. 2. Whenever the health needs of the Indians can be better met thereby, the Secretary of the Interior is authorized in his discretion to enter into contracts with any State, Territory, or political subdivision thereof, or any appropriate Federal, State, Territory, or political subdivision thereof, or provide nonprofit corporation, agency, or institution providing for the transfer by the Indian Bureau of Indian hospitals or other health facilities, including initial operating equipment and supplies. It shall be a condition of each such transfer that all facilities transferred shall be available to meet the health needs of the Indians and that such health needs shall be given priority over those of the non-Indian population. No hospital or health facility that has been constructed or maintained for a specific tribe of Indians, or for a specific group of tribes, shall be transferred to a non-Indian entity or organization under this section unless such action has been approved by the governing body of the tribe, or by the governing bodies of a majority of the tribes, for which such hospital or health facility has been constructed or maintained.

Condition.

Restriction.

Contracts with physicians.

SEC. 3. The Secretary of the Interior is also authorized to enter into contracts with any physicians duly licensed by any State or Territory to provide medical attention or services to Indians, and to expend under such contract funds appropriated by Congress for medical attention to Indians.

Standards of services.

SEC. 4. Any contracts entered into pursuant to this Act shall provide that the standards of services to be rendered to Indians shall not be less than the standards established by the Secretary of the Interior; that the same services shall be rendered to Indian patients as is rendered to other patients and that Indian patients shall not be segregated from other patients.

Regulations.

SEC. 5. The Secretary of the Interior is also authorized to make such other regulations as he deems desirable to carry out the provisions of this Act.

136 Proceeds.

⊥SEC. 6. Proceeds to be derived under section 1 shall be deposited in the Treasury to the credit of the appropriation from which the hospitalization or medical services are provided, and shall be available for expenditure for the purposes for which the appropriation was made.

Approved, April 3, 1952.

PUBLIC LAW 302 CHAPTER 165

AN ACT

April 8, 1952 [S. 2408]
66 Stat. 46

To amend the Act authorizing the negotiation and ratification of certain contracts with certain Indians of the Sioux Tribe in order to extend the time for negotiation and approval of such contracts.

Sioux Indians. Settlement contracts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 (a) of the Act entitled "An Act to authorize the negotiation and ratification of separate settlement contracts with the Sioux Indians of Cheyenne River Reservation in South Dakota and of Standing Rock Reservation in South Dakota and North Dakota for Indian lands and ⊥rights acquired by the United States for the Oahe Dam and Reservoir, Missouri River development, and for other related purposes", approved September 30, 1950 (64 Stat. 1093), is amended by striking out "eighteen months" and inserting in lieu thereof "twenty-eight months".

147

Approved, April 8, 1952.

PUBLIC LAW 345 CHAPTER 306

AN ACT

May 17, 1952 [S. 1798]
66 Stat. 74

Granting the consent of Congress to a compact entered into by the States of Oklahoma, Texas, and New Mexico relating to the waters of the Canadian River.

Canadian River Compact.
Consent of Congress.
43 U. S. C. 600c note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress is hereby given to the compact authorized by the Act of April 29, 1950 (64 Stat. 93), signed by the commissioners for the States of Oklahoma, Texas, and New Mexico at Sante Fe, New Mexico, on December 6, 1950, and thereafter ratified and approved by the legislatures of the States of Oklahoma, Texas, and New Mexico, which compact reads as follows:

"CANADIAN RIVER COMPACT

"The State of New Mexico, the State of Texas, and the State of Oklahoma, acting through their Commissioners, John H. Bliss for the State of New Mexico, E. V. Spence for the State of Texas, and Clarence Burch for the State of Oklahoma, after negotiations participated in by

175 ⊥Berkeley Johnson, appointed by the President as the representative

of the United States of America, have agreed respecting Canadian River as follows:

* * *

⊥"ARTICLE X ⊥177

"Nothing in this Compact shall be construed as:

"(a) affecting the obligations of the United States to the Indian Tribes:

* * *

Approved, May 17, 1952.

PUBLIC LAW 356 CHAPTER 323

AN ACT

To provide certain increases in the monthly rates of compensation and pension payable to veterans and their dependents, and for other purposes.

May 23, 1952
[H. R. 4394]
66 Stat. 90

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Veterans.
Compensation and pensions.

* * *

⊥SEC. 6. (a) The minimum monthly rate of pension payable to veterans of the Indian wars under the Act of March 3, 1927 (44 Stat. 1361), as amended (38 U. S. C. 381), or the Act of August 25, 1937 (50 Stat. 786), as amended (38 U. S. C. 381–1), shall be $96.75 unless such veteran is now or hereafter becomes on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, in which event the monthly rate shall be $129. ⊥191

(b) All monthly rates of pension payable to dependents of veterans of the Indian wars which are payable under any public laws administered by the Veterans' Administration are hereby increased by 7½ per centum.

* * *

Approved, May 23, 1952.

PUBLIC LAW 367 CHAPTER 338

AN ACT

To amend the provision in the Act of March 4, 1911 (36 Stat. 1235, 1253) authorizing the granting of easements for rights-of-way for electrical transmission, telephone, and telegraph lines and poles.

May 27, 1952
[S. 1630]
66 Stat. 95

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth paragraph under the subheading "Improvement of the National Forests" under the heading "Forest Service" of the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and twelve" (36 Stat. 1253, 43 U. S. C. 961) is amended to read as follows:

Public lands.
Rights-of-way for electrical poles and lines, etc.

"That the head of the department having jurisdiction over the lands be, and he hereby is, authorized and empowered, under general regulations to be fixed by him, to grant an easement for rights-of-way, for ⊥a period not exceeding fifty years from the date of the issuance of such grant, over, across, and upon the public lands, national forests, and reservations of the United States for electrical poles and lines for the transmission and distribution of electrical power, and for poles and lines for communication purposes, and for radio, television, and other forms of communication transmitting, relay, and receiving structures and facilities, to the extent of two hundred feet on each side of the center line of such lines and poles and not to exceed four hundred feet by four hundred feet for radio, television, and other forms of communication transmitting, relay, and receiving structures and facilities, to any citizen, association, or corporation of the United States, where it is ⊥196

intended by such to exercise the right-of-way herein granted for any one or more of the purposes herein named: *Provided*, That such right-of-way shall be allowed within or through any national park, national forest, military, Indian, or any other reservation only upon the approval of the chief officer of the department under whose supervision or control such reservation falls, and upon a finding by him that the same is not incompatible with the public interest: *Provided further*, That all or any part of such right-of-way may be forfeited and annulled by declaration of the head of the department having jurisdiction over the lands for nonuse for a period of two years or for abandonment."

Approved, May 27, 1952.

PUBLIC LAW 375 CHAPTER 369

AN ACT

June 5, 1952
[H. R. 6947]

Making supplemental appropriations for the fiscal year ending June 30, 1952, and for other purposes.

66 Stat. 101

Third Supplemental Appropriation Act, 1952

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1952, and for other purposes, namely:

* * *

106 **CHAPTER VI—DEPARTMENT OF THE INTERIOR**

* * *

BUREAU OF INDIAN AFFAIRS

RESOURCES MANAGEMENT

For an additional amount for "Resources management", $175,000; and the restrictions contained within the Interior Department Appropriation Act, 1952, limiting the amounts which may be expended from appropriations to the Bureau of Indian Affairs for personal services, are hereby waived to the extent necessary to meet the cost of fire suppression.

65 Stat. 252

* * *

111 **CHAPTER II—INCREASED PAY COSTS**

For additional amounts for appropriations for the fiscal year 1952, for increased pay costs authorized by Public Laws 201 and 204, approved October 24, 1951, and Public Law 207, approved October 25, 1951, and comparable pay increases granted by administrative action pursuant to law, as follows:

65 Stat. 612, 622, 636

* * *

113 INDEPENDENT OFFICES

* * *

Indian Claims Commission: "Salaries and expenses", $3,900;

* * *

117 DEPARTMENT OF THE INTERIOR

* * *

Bureau of Indian Affairs:

"Health, education, and welfare services", $2,175,000;

"Resources management", $388,000;

"General administrative expenses", $224,900;

"Payment to Choctaw and Chickasaw Nations of Indians, Oklahoma", $1,500;

"Tribal funds" (from tribal funds), $79,000;

* * *

⊥CHAPTER XII ⊥121

CLAIMS FOR DAMAGES, AUDITED CLAIMS, AND JUDGMENTS

For payment of claims for damages as settled and determined by departments and agencies in accord with law, audited claims certified to be due by the General Accounting Office, and judgments rendered against the United States by United States district courts and the United States Court of Claims, as set forth in House Document Numbered 471, Eighty-second Congress, and Senate Document Numbered 108, Eighty-second Congress, $6,490,662, together with such amounts as may be necessary to pay interest (as and when specified in such judgments or in certain of the settlements of the General Accounting Office or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided*, That no judgment herein appropriated for shall be paid until it shall have become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further*, That, unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for ⊥herein shall not continue for more than thirty days after the date of ⊥122 approval of this Act.

* * *

SEC. 1303. Amounts made available for pay increases in this Act, by appropriation, increase in administrative expense limitation, transfer and otherwise are hereby reduced in the sums hereinafter set forth, and such sums (except corporate funds, trust funds, and funds under the title "Control of emergency outbreaks of insects and plant diseases") shall be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act, as follows: Reductions in amounts.

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥125

* * *

Bureau of Indian Affairs: "Health, education, and welfare services", $75,000;

* * *

Approved, June 5, 1952.

PUBLIC LAW 389 CHAPTER 418

AN ACT

To authorize the conveyance of lands in the Hoopa Valley Indian Reservation to the State of California or to the Hoopa Unified School District for use for school purposes.

June 12, 1952
[H. R. 6675]
66 Stat. 135

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may, in his discretion, convey by deed to the State of California or to the Hoopa Unified School District of the State of California not to exceed forty-five acres of land located in the agency and school reserve on the Valley Indian Reservation for use as a site for the construction of a school for the education of both Indian and non-Indian pupils. The conveyance shall be made subject to such terms and conditions as may be agreed upon by the Secretary of the Interior, the Tribal Council of the Hoopa Valley Indians, and the State of California or the Hoopa Unified School District. Hoopa Valley Indian Reservation Conveyance

Approved, June 12, 1952.

PUBLIC LAW 398 CHAPTER 445

AN ACT

To authorize a $100 per capita payment to members of the Red Lake Band of

June 19, 1952
[H. R. 6133]
66 Stat. 139

Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

Red Lake Band of Chippewa Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. 137), to the credit of the Red Lake Indians in Minnesota, and to pay therefrom $100 to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living at the date of enactment of this Act. Such payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That such payment shall be made first from any funds on deposit in the Treasury of the United States to the credit of the Red Lake Band of the Chippewa Indians, of Minnesota, drawing interest at the rate of 5 per centum and thereafter from funds drawing 4 per centum.

Restrictions

SEC. 2. No money paid to Indians under this Act shall be subject to any lien or claim of attorneys or other persons. Before any payment is made under this Act, the Red Lake Band of Chippewa Indians of Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify and accept the provisions of this Act.

⊥140

⊥SEC. 3. Payments made under this Act shall not be held to be "other income and resources" as that term is used in sections 2 (a) (7), 402 (a) (7), and 1002 (a) (8) of the Social Security Act, as amended (U. S. C., 1946 edition, title 42, secs. 302 (a) (7), 602 (a) (7), and 1202 (a) (8)).

49 Stat. 620; 53 Stat. 1379, 1397.

Approved, June 19, 1952.

PUBLIC LAW 413 CHAPTER 462

AN ACT

June 25, 1952
[H. R. 7340]
66 Stat. 158

To amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

Federal-Aid Highway Act of 1952
23 U. S. C. 9a note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated the sum of $550,000,000 for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955.

Appropriation

The sum herein authorized for each fiscal year shall be available for expenditure as follows:

* * *

⊥159
National parks, etc.

⊥SEC. 4. (a) For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955.

16 U. S. C. 8a-8c.

* * *

Indian reservations.

(c) For the construction, improvement, and maintenance of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to

25 U. S. C. 318a.

be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955: ⊥*Provided*, That the location, type, and design of all roads and bridges constructed shall be approved by the Commissioner of Public Roads before any expenditures are made thereon, and all such construction shall be under the general supervision of the Commissioner of Public Roads. ⊥160

* * *

⊥SEC. 8. For the purpose of carrying out the provisions of section 10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785) there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations the sum of $2,500,000 for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955, to remain available until expended. ⊥161 Federal reservations

* * *

⊥SEC. 11. All provisions of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838); the Federal-Aid Highway Act of 1948, approved June 29, 1948 (62 Stat. 1105); and the Federal-Aid Highway Act of 1950, approved September 7, 1950, not inconsistent with this Act, shall remain in full force and effect. ⊥162 23 U. S. C. 60-63, 21, 23c, 3a note 16 U. S. C. 8b

* * *

Approved, June 25, 1952.

PUBLIC LAW 414 CHAPTER 477

AN ACT

To revise the laws relating to immigration, naturalization, and nationality; and for other purposes.

June 27, 1952
[H. R. 5678]
66 Stat. 163

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into titles, chapters, and sections according to the following table of contents, may be cited as the "Immigration and Nationality Act". Immigration and Nationality Act.

* * *

⊥TITLE II—IMMIGRATION ⊥175

* * *

⊥CHAPTER 9—MISCELLANEOUS ⊥230

* * *

⊥AMERICAN INDIANS BORN IN CANADA ⊥234

SEC. 289. Nothing in this title shall be construed to affect the right of American Indians born in Canada to pass the borders of the United States, but such right shall extend only to persons who possess at least 50 per centum of blood of the American Indian race.

* * *

⊥TITLE III—NATIONALITY AND NATURALIZATION ⊥235

CHAPTER 1—NATIONALITY AT BIRTH AND BY COLLECTIVE NATURALIZATION

NATIONALS AND CITIZENS OF THE UNITED STATES AT BIRTH

SEC. 301. (a) The following shall be nationals and citizens of the United States at birth:

(1) a person born in the United States, and subject to the jurisdiction thereof;

(2) a person born in the United States to a member of an

Indian, Eskimo, Aleutian, or other aboriginal tribe: *Provided*, That the granting of citizenship under this subsection shall not in any manner impair or otherwise affect the right of such person to tribal or other property;

(3) a person born outside of the United States and its outlying possessions of parents both of whom are citizens of the United States and one of whom has had a residence in the United States or one of its outlying possessions, prior to the birth of such person;

(4) a person born outside of the United States and its outlying possessions of parents one of whom is a citizen of the United States who has been physically present in the United States or one of its outlying possessions for a continuous period of one year prior to the birth of such person, and the other of whom is a national, but not a citizen of the United States;

(5) a person born in an outlying possession of the United States of parents one of whom is a citizen of the United States who has been physically present in the United States or one of its

1236 ⊥outlying possessions for a continuous period of one year at any time prior to the birth of such person;

(6) a person of unknown parentage found in the United States while under the age of five years, until shown, prior to his attaining the age of twenty-one years, not to have been born in the United States;

(7) a person born outside the geographical limits of the United States and its outlying possessions of parents one of whom is an alien, and the other a citizen of the United States who, prior to the birth of such person, was physically present in the United States or its outlying possessions for a period or periods totaling not less than ten years, at least five of which were after attaining the age of fourteen years: *Provided*, That any periods of honorable service in the Armed Forces of the United States by such citizen parent may be included in computing the physical presence requirements of this paragraph.

(b) Any person who is a national and citizen of the United States at birth under paragraph (7) of subsection (a), shall lose his nationality and citizenship unless he shall come to the United States prior to attaining the age of twenty-three years and shall immediately following any such coming be continuously physically present in the United State for at least five years: *Provided*, That such physical presence follows the attainment of the age of fourteen years and precedes the age of twenty-eight years.

(c) Subsection (b) shall apply to a person born abroad subsequent to May 24, 1934: *Provided, however*, That nothing contained in this subsection shall be construed to alter or affect the citizenship of any person born abroad subsequent to May 24, 1934, who, prior to the effective date of this Act, has taken up a residence in the United States before attaining the age of sixteen years, and thereafter, whether before or after the effective date of this Act, complies or shall comply with the residence requirements for retention of citizenship specified in subsections (g) and (h) of section 201 of the Nationality Act of 1940, as amended.

54 Stat. 1138.
8 U. S. C. 601.

* * *

1237 ⊥PERSONS BORN IN ALASKA ON OR AFTER MARCH 30, 1867

SEC. 304. A person born in Alaska on or after March 30, 1867, except a noncitizen Indian, is a citizen of the United States at birth. A noncitizen Indian born in Alaska on or after March 30, 1867, and prior to June 2, 1924, is declared to be a citizen of the United States as of June 2, 1924. An Indian born in Alaska on or after June 2, 1924, is a citizen of the United States at birth.

* * *

⊥TITLE IV—MISCELLANEOUS ⊥274

* * *

⊥LAWS REPEALED ⊥279

SEC. 403. (a) The following Acts and all amendments thereto and parts of Acts and all amendments thereto are repealed:

* * *

⊥(42) Act of October 14, 1940 (54 Stat. 1137): ⊥280

* * *

Approved, June 27, 1952.

PUBLIC LAW 440 CHAPTER 549

AN ACT

July 3, 1952
[H. R. 1788]
66 Stat. 323

To authorize the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes of Indians to make contracts with approval of the Secretary of the Interior, or his authorized representative, under such rules and regulations as the Secretary of the Interior may prescribe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That contracts involving the payment or expenditure of any money or affecting any property belonging to the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes of Indians, including contracts for professional legal services, may be made by said tribes, with the approval of the Secretary of the Interior, or his authorized representative, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided,* That the provisions of this section shall not apply to contracts for professional legal services involving the prosecution of claims against the United States. Indians. Contracts.

SEC. 2. That the second proviso in section 28 of the Act of April 26, 1906 (34 Stat. 148), and the provisions contained in the fifth paragraph of section 17 of the Act of March 3, 1911 (36 Stat. 1070), dealing with contracts made by the Choctaw and Chickasaw Tribes of Indians for professional legal services of attorneys, are hereby repealed. Repeals.

Approved, July 3, 1952.

PUBLIC LAW 455 CHAPTER 578

AN ACT

July 5, 1952
[H. R. 7072]
66 Stat. 393

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1953, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1953, namely: Independent Offices Appropriation Act, 1953.

TITLE I

* * *

⊥INDIAN CLAIMS COMMISSION ⊥403

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $91,400, of which not to exceed $2,275 shall be available for expenses of travel. 60 Stat. 1049.

* * *

Approved, July 5, 1952.

PUBLIC LAW 470 CHAPTER 597

July 9, 1952
[H. R. 7176]

66 Stat. 445

AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Interior Department Appropriation Act, 1953.

TITLE I—DEPARTMENT OF THE INTERIOR

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1953, namely:

* * *

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⊥BUREAU OF INDIAN AFFAIRS

HEALTH, EDUCATION, AND WELFARE SERVICES

For expenses necessary to provide health, education, and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $51,801,000.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; conducting agricultural experiments and demonstrations; advances for Indian industrial and business enterprises; and development of Indian arts and crafts as authorized by law (25 U. S. C. 305), including expenses of exhibits; $13,253,760.

49 Stat. 891

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, roads and trails, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; to remain available until expended; $17,500,000, of which $1,380,000 is for liquidation of obligations incurred pursuant to authority previously granted: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the bound-⊥aries of existing reservations: *Provided further*, That of the amount included herein for the construction of roads and trails, such part of the amount as determined by the Commissioner of Indian Affairs shall be available only for roads and trails which State and local governments agree to take over and maintain when the improvement is completed: *Provided further*, That the amount of $24,000 heretofore appropriated and now available under this heading for school facilities at Squaw Point Unorganized Territory, Minnesota, may be expended for school facilities for the Prairie Island Indian Community or for cooperation

Restrictions

1449

Roads and trails.

School facilities, Minn.

with Burnside Consolidated School District Numbered 3, Goodhue County, Minnesota, in the construction, extension, eqiupment, or improvement of public-school facilities as may be agreed upon by the Commissioner of Indian Affairs and the State Department of Education of Minnesota, under such terms and conditions as the Secretary may prescribe.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $3,525,647.

REVOLVING FUND FOR LOANS

For an additional amount for loans as authorized by sections 10 and 11 of the Act of June 18, 1934 (25 U. S. C. 470, 471), as amended and supplemented, and section 1 of the Act of April 19, 1950 (Public Law 474), $1,000,000.

48 Stat. 986
64 Stat. 44.
25 U. S. C. 631.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for purchase of not to exceed two hundred and sixty passenger motor vehicles (of which two hundred and fifty shall be for replacement only), which may be used for the transportation of Indians; purchase of ice for official use of employees; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), including not to exceed $5,000 for expenditure at rates for individuals not in excess of $100 per diem on irrigation and power matters, when authorized by the Secretary; and expenses required by continuing or permanent treaty provisions.

60 Stat. 810

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $2,920,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment ⊥of a recreational director for the Menominee Reservation and a curator for the Osage Museum, each of whom shall be appointed with the approval of the respective tribal councils and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and

18 U. S. C. 4124.

⊥450
Recreational director.
Curator

Wyoming, either inside or outside the boundaries of existing Indian reservations.

* * *

Approved, July 9, 1952.

PUBLIC LAW 529 CHAPTER 721

July 14, 1952
[S. 1041]

66 Stat. 597

AN ACT

To provide for the eradication and control of Halogeton glomeratus on lands in the United States, and for other purposes.

Halogeton Glomeratus Control Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Halogeton Glomeratus Control Act".

SEC. 2. In order to protect the livestock industry from losses caused by the poisonous weed Halogeton glomeratus now or hereafter existing on lands in the several States, to provide for the maintenance and development of valuable forage plants on range and pasture lands, and to prevent destruction or impairment of range and pasture lands and other lands by the growth, spread, and development of the poisonous weed known as Halogeton glomeratus, it shall be the policy of the Federal Government, acting independently or in cooperation with the several States and political subdivisions thereof, private associa-
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tions and organizations, and individuals, to control, suppress, and eradicate this weed, poisonous to livestock, on lands in the several States irrespective of ownership.

Actions authorized

SEC. 3. (a) The Secretary of the Interior with respect to lands under his jurisdiction, including trust or restricted Indian lands, and the Secretary of Agriculture with respect to any other lands, either independently or in cooperation with any State or political subdivision thereof, private association or organization, or individual, are severally authorized, upon such conditions as they respectively deem necessary—

(1) to conduct surveys to detect the presence and effect of Halogeton glomeratus on lands in such State;

(2) to determine those measures and operations which are necessary to control, suppress, and eradicate such weed; and

(3) to plan, organize, direct, and carry out such measures and operations as either of them may deem necessary to carry out the purposes of this Act.

(b) Measures and operations to control, suppress, or eradicate Halogeton glomeratus on lands under the jurisdiction of any department, agency, independent establishment, or corporation of the Federal Government shall not be conducted without the consent of the department, agency, independent establishment, or corporation concerned.

Expenditures

SEC. 4. The Secretary of Agriculture in his discretion may allocate, out of any sums appropriated to him under authority of this Act, to any department, agency, independent establishment, or corporation of the Federal Government having jurisdiction over any land on which there exists Halogeton glomeratus, such amounts as he deems necessary for the control, suppression, and eradication of such weed by such department, agency, independent establishment, or corporation, as the case may be. Sums appropriated to the Secretary of the Interior under authority of this Act shall be expended for work on, or of benefit to, lands under his jurisdiction, including trust or restricted Indian lands. Either Secretary may also accept and utilize such voluntary and uncompensated services of Federal, State, and local officers and employees as are available.

Restriction.

SEC. 5. In the discretion of the Secretary of Agriculture or the Secretary of the Interior, as the case may be, no expenditures shall be made from funds appropriated under this Act to control, suppress, or

eradicate Halogeton glomeratus on lands in the several States until there have been made or agreed upon such contributions, in the form of funds, materials, services, or otherwise, by the States and political subdivisions thereof, private associations, and organizations, and individuals, toward the work of controlling, suppressing, or eradicating such weed, as the Secretary of Agriculture or the Secretary of the Interior, respectively, may require.

Appropriation

SEC. 6. (a) There are hereby authorized to be appropriated to the Secretary of Agriculture and to the Secretary of the Interior such sums as the Congress may from time to time determine to be necessary to carry out the purposes of this Act.

(b) Any sums so appropriated shall be available for expenditure for the employment of persons and means in the District of Columbia and elsewhere, for the purchase, hire, maintenance, operation, and exchange of aircraft and passenger-carrying vehicles, and for such other expenses as may be necessary to carry out the purposes of this Act.

(c) Such sums shall not be used to pay the cost or value of any property injured or destroyed in carrying out the purposes of this Act.

⊥599

⊥SEC. 7. The authority contained in this Act shall be in addition to, and shall not limit or supersede, authority contained in existing law with respect to the control, suppression, and eradication of pests, plants, and plant diseases.

Approved, July 14, 1952.

PUBLIC LAW 591 CHAPTER 946

AN ACT

July 18, 1952
[S. 3333]

66 Stat. 780

To vest title in the United States to certain lands and interests in lands of the Shoshone and Arapaho Indian Tribes of the Wind River Reservation and to provide compensation therefor and for other purposes.

Shoshone and Arapaho Indians
Boysen Unit

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized, for a reasonable consideration not to exceed $458,000, to be paid from funds appropriated for the Missouri River Basin project, to convey and relinquish to the United States of America the property and rights of the Shoshone and of the Arapaho Indian Tribes needed by the United States for the construction and operation and maintenance of the Boysen Unit of the Missouri River Basin project. Action heretofore taken by the Secretary of the Interior in granting rights-of-way over Indian lands for the establishment or the relocation of roads, highways, and railroads, and telegraph, telephone, power transmission and pipelines in connection with the construction of the Boysen Unit of the Missouri River Basin project is hereby confirmed.

SEC. 2. The conveyances and relinquishments shall be, in all things, in accord with the memorandum of understanding between the Bureau of Reclamation and the Bureau of Indian Affairs as approved by the Secretary of the Interior on December 29, 1951, and as amended with his approval on May 1, 1952.

SEC. 3. The moneys to be paid to the Shoshone and Arapaho Tribes hereunder shall be deposited in the Treasury of the United States of ⊥America to the credit and for the use of the respective tribes in accordance with the provisions of the Act of May 19, 1947 (61 Stat. 102), as amended by the Act of August 30, 1951 (65 Stat. 208).

⊥781

25 U. S. C. 611-613

Approved, July 18, 1952.

PRIVATE LAWS OF THE EIGHTY-SECOND CONGRESS, SECOND SESSION, 1952

PRIVATE LAW 845 CHAPTER 692

AN ACT

July 11, 1952
[H. R. 5917]

66 Stat. A154

To authorize the sale of land on the Crow Reservation, Montana, allotted to William Big Day.

William Big Day.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, upon application in writing, is authorized to sell, under applicable regulations, the homestead land contained in allotment numbered 1997 of William Big Day, described as the northwest quarter of the southeast quarter, the northeast quarter of the southwest quarter, and the west half of the southwest quarter, section four, township 6 south, range 31 east, Montana principal meridian, containing one hundred and sixty acres.

Approved, July 11, 1952.

PRIVATE LAW 854 CHAPTER 716

AN ACT

July 12, 1952
[H. R. 6556]
66 Stat. A158

Authorizing the issuance of a patent in fee to Erle E. Howe

Erle E. Howe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Erle E. Howe a patent in fee to the following-described land allotted to him on the Crow Indian Reservation, Montana: The east half of the southwest quarter, the north half of the southeast quarter, and the north half of the south half of the southeast quarter of section 21, and the southwest quarter of section 22, township 8 south, range 38 east, Montana principal meridian, containing three hundred and sixty acres.

Approved, July 12, 1952.

PRIVATE LAW 855 CHAPTER 717

AN ACT

July 12, 1952
[H. R. 6681]
66 Stat. A158

Authorizing the issuance of a patent in fee to John B. Cummins.

John B. Cummins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to John B. Cummins a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Montana: The southeast quarter of section 12, township 6 south, range 36 east; lot 3, the east half of the southwest quarter, and the southeast quarter of section 7, township 6 south, range 37 east; and lots 2 and 3, the northeast quarter, the east half of the northwest quarter, the northeast quarter of the southwest quarter, and the north half of the north half of the north half of the southeast quarter of section 18, township 6 south, range 37 east, Montana principal meridian, containing seven hundred ninety-seven and twenty-one one-hundredths acres, more or less.

Approved, July 12, 1952.

PRIVATE LAW 870 CHAPTER 746

AN ACT

July 14, 1952
[S. 2573]
66 Stat. A163

Authorizing the issuance of a patent in fee to Walter Anson Pease.

Walter Anson Pease.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Walter Anson Pease, of Billings, Montana, a patent in fee to the following-described lands from Crow allotment numbered 3452, in the State of Montana, namely: lots 3 and 4, the south half of the northwest quarter, and the southwest quarter of section 1; lots 1, 2, 3, 5, 8, and 9, the south half of the northeast quarter, the southeast quarter of the northwest quarter, the northeast quarter of the southwest quarter, and the southeast quarter of section 2; the north half of the northeast quarter of section 11; and the north half of the

north half of the northwest quarter of section 12, all in township 1 south, range 27 east, Montana principal meridian, and amounting to nine hundred eighty-three and seventy-two one-hundredths acres, more or less.

Approved, July 14, 1952.

PRIVATE LAW 871 CHAPTER 747

AN ACT

July 14, 1952
[H. R. 7009]
66 Stat. A163

Authorizing the issuance of a patent in fee to Franklin Yarlott.

Franklin Yarlott

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Franklin Yarlott a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Montana: The south half of the southeast quarter of section 4, the north half and the north half of the southwest quarter of section 9, township 8 south, range 38 east, Montana principal meridian.

Approved, July 14, 1952.

PRIVATE LAW 872 CHAPTER 748

AN ACT

July 14, 1952
[H. R. 7301]
66 Stat. A163

Authorizing the Secretary of the Interior to issue a patent in fee to Viola Delaney.

Viola Delaney

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Viola Delaney ⊥a patent in fee to the following-described lands allotted to her on the Blackfeet Indian Reservation, Montana: Lot 4 and the southwest quarter of the northwest quarter of section 2, township 36 north, range 11 west, Montana principal meridian, containing eighty-seven and fifty-eight one-hundredths acres.

⊥164

Approved, July 14, 1952.

PRIVATE LAW 873 CHAPTER 749

AN ACT

July 14, 1952
[H. R. 7302]
66 Stat. A164

Authorizing the Secretary of the Interior to issue patents in fee to certain allottees on the Blackfeet Indian Reservation.

Fred Gerard, Jr., and others

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to the following-named persons patents in fee to certain lands allotted to them on the Blackfeet Indian Reservation, Montana:

Fred Gerard, Junior, northwest quarter of the southwest quarter of section 4, township 35 north, range 12 west, Montana principal meridian, containing forty acres.

Hazel Gerard Powers, southwest quarter of the southwest quarter of section 34, township 36 north, range 12 west, Montana principal meridian, containing forty acres.

Lyda Rose Gerard Shelton, southwest quarter of the southwest quarter of section 4, township 35 north, range 12 west, Montana principal meridian, containing forty acres.

James Gerard, west half of the west half of the northeast quarter of section 10, township 35 north, range 12 west, Montana principal meridian, containing forty acres.

Approved, July 14, 1952.

PRIVATE LAW 874 CHAPTER 750

AN ACT

July 14, 1952
[H. R. 7303]

Authorizing the Secretary of the Interior to issue patents in fee to certain allottees on the Crow Indian Reservation.

66 Stat. A164

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to the following-named persons patents in fee to their allotted lands on the Crow Indian Reservation, Montana:

Reba Yarlott and others

Reba Yarlott, northeast quarter and the southeast quarter of the northwest quarter of section 7, township 3 south, range 35 east; northwest quarter of section 33, township 7 south, range 38 east; southwest quarter and the south half of the southeast quarter of section 3; lot 8, section 2, and the north half of section 10, township 8 south, range 38 east, Montana principal meridian, containing nine hundred sixty-two and fifty-nine one-hundredths acres.

Florence Mary Yarlott, the northeast quarter of section 32, township 7 south, range 38 east; the northwest quarter of the southwest quarter of section 2, and lots 1, 2, 3, and 4, and the south half of the north half and the north half of the southeast quarter of section 3, township 8 south, range 38 east, containing five hundred eight and eighty one-hundredths acres.

⊥165

⊥Charles Edward Yarlott, south half of the northeast quarter and the south half of section 33; south half of section 34; south half of section 35, township 7 south, range 38 east, Montana principal meridian, containing one thousand and forty acres.

Approved, July 14, 1952.

PRIVATE LAW 876 CHAPTER 752

AN ACT

July 14, 1952
[S. 2646]

To cancel irrigation maintenance and operation charges on the Shoshone Indian Mission School lands on the Wind River Indian Reservation.

66 Stat. A165

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all unpaid irrigation maintenance and operation charges against the lands on the Wind River Indian Reservation, owned by the Trustees of Church Property of the Protestant Episcopal Church in Wyoming, a Wyoming corporation, and described as the north half of the southwest quarter, the southwest quarter of the southwest quarter, the northwest quarter of the southeast quarter, section 8, township 1 south, range 1 west, Wind River meridian, Wyoming, are hereby canceled and the accrual of such charges shall be suspended for such period, not to exceed five years, as said lands continue to be held by the present owners.

Trustees of Church Property of the Protestant Episcopal Church in Wyoming

Approved, July 14, 1952.

CONCURRENT RESOLUTION OF THE EIGHTY-SECOND CONGRESS, SECOND SESSION, 1952

JOINT COMMITTEE ON NAVAJO-HOPI INDIAN ADMINISTRATION

April 9, 1952
[S. Con. Res. 64]

66 Stat. B25

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on Navajo-Hopi Indian Administration is authorized to expend until January 31, 1953, not in excess of $25,000, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman, for the purpose of paying the expenses of the committee under section 10 of the Act entitled "An Act to promote the rehabilitation of the Navajo and Hopi Tribes of Indians and a better utilization of the resources of the Navajo and Hopi Indian Reservation, and for other purposes", approved April 19, 1950. Disbursements

Authorized expenditures

64 Stat. 47.
25 U. S. C. 640.

to pay such expenses shall be made by the Secretary of the Senate out of the contingent fund of the Senate, such contingent fund to be reimbursed from the contingent fund of the House of Representatives in the amount of one-half of disbursements so made.

Agreed to April 9, 1952.

PUBLIC LAWS OF THE EIGHTY-THIRD CONGRESS, FIRST SESSION, 1953

PUBLIC LAW 31 CHAPTER 65

AN ACT

To confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and to the natural resources within such lands and waters, to provide for the use and control of said lands and resources, and to confirm the jurisdiction and control of the United States over the natural resources of the seabed of the Continental Shelf seaward of State boundaries.

May 22, 1953
[H. R. 4193]

67 Stat. 29

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Submerged Lands Act".

Submerged Lands Act

TITLE I

DEFINITION

SEC. 2. When used in this Act—

(a) The term "lands beneath navigable waters" means— "Lands beneath navigable waters."

(1) all lands within the boundaries of each of the respective States which are covered by nontidal waters that were navigable under the laws of the United States at the time such State became a member of the Union, or acquired sovereignty over such lands and waters thereafter, up to the ordinary high water mark as heretofore or hereafter modified by accretion, erosion, and reliction;

(2) all lands permanently or periodically covered by tidal waters up to but not above the line of mean high tide and seaward to a line three geographical miles distant from the coast line of each such State and to the boundary line of each such State where in any case such boundary as it existed at the time such State became a member of the Union, or as heretofore approved by Congress, extends seaward (or into the Gulf of Mexico) beyond three geographical miles, and

(3) all filled in, made, or reclaimed lands which formerly were lands beneath navigable waters, as hereinabove defined;

(b) The term "boundaries" includes the seaward boundaries of a State or its boundaries in the Gulf of Mexico or any of the Great Lakes as they existed at the time such State became a member of the Union, or as heretofore approved by the Congress, or as extended or confirmed pursuant to section 4 hereof but in no event shall the term "boundaries" or the term "lands beneath navigable waters" be interpreted as extending from the coast line more than three geographical miles into the Atlantic Ocean or the Pacific Ocean, or more than three marine leagues into the Gulf of Mexico; "Boundaries."

(c) The term "coast line" means the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters; "Coast line."

(d) The terms "grantees" and "lessees" include (without limiting the generality thereof) all political subdivisions, municipalities, public and private corporations, and other persons holding grants or leases from a State, or from its predecessor sovereign if legally validated, to lands beneath navigable waters if such grants or leases were issued in accordance with the constitution, statutes, and decisions of the courts of the State in which such lands are situated, or of its predecessor sovereign: *Provided, however*, That nothing herein shall be construed as conferring upon said grantees or lessees any greater rights or "Grantees" and "lessees."

interests other than are described herein and in their respective grants from the State, or its predecessor or sovereign;

⊥130 "Natural resources."

⊥(e) The term "natural resources" includes, without limiting the generality thereof, oil, gas, and all other minerals, and fish, shrimp, oysters, clams, crabs, lobsters, sponges, kelp, and other marine animal and plant life but does not include water power, or the use of water for the production of power;

(f) The term "lands beneath navigable waters" does not include the beds of streams in lands now or heretofore constituting a part of the public lands of the United States if such streams were not meandered in connection with the public survey of such lands under the laws of the United States and if the title to the beds of such streams was lawfully patented or conveyed by the United States or any State to any person;

(g) The term "State" means any State of the Union;

"Person."

(h) The term "person" includes, in addition to a natural person, an association, a State, a political subdivision of a State, or a private, public, or municipal corporation.

TITLE II

LANDS BENEATH NAVIGABLE WATERS WITHIN STATE BOUNDARIES

SEC. 3. RIGHTS OF THE STATES.—

Title and powers

(a) It is hereby determined and declared to be in the public interest that (1) title to and ownership of the lands beneath navigable waters within the boundaries of the respective States, and the natural resources within such lands and waters, and (2) the right and power to manage, administer, lease, develop, and use the said lands and natural resources all in accordance with applicable State law be, and they are hereby, subject to the provisions hereof, recognized, confirmed, established, and vested in and assigned to the respective States or the persons who were on June 5, 1950, entitled thereto under the law of the respective States in which the land is located, and the respective grantees, lessees, or successors in interest thereof;

(b) (1) The United States hereby releases and relinquishes unto said States and persons aforesaid, except as otherwise reserved herein, all right, title, and interest of the United States, if any it has, in and to all

Claims of U. S.

said lands, improvements, and natural resources; (2) the United States hereby releases and relinquishes all claims of the United States, if any it has, for money or damages arising out of any operations of said States or persons pursuant to State authority upon or within said lands and navigable waters; and (3) the Secretary of the Interior or the Secretary of the Navy or the Treasurer of the United States shall pay to the respective States or their grantees issuing leases covering such lands or natural resources all moneys paid thereunder to the Secretary of the Interior or to the Secretary of the Navy or to the Treasurer of the United States and subject to the control of any of them or to the control of the United States on the effective date of this Act, except that portion of such moneys which (1) is required to be returned to a lessee; or (2) is deductible as provided by stipulation or agreement between the United States and any of said States;

Leases in effect on June 5, 1950.

(c) The rights, powers, and titles hereby recognized, confirmed, established, and vested in and assigned to the respective States and their grantees are subject to each lease executed by a State, or its grantee, which was in force and effect on June 5, 1950, in accordance with its terms and provisions and the laws of the State issuing, or whose grantee issued, such lease, and such rights, powers, and titles are further subject to the rights herein now granted to any person holding any such lease to continue to maintain the lease, and to conduct operations thereunder, in accordance with its provisions, for

⊥131 the full ⊥term thereof, and any extensions, renewals, or replacements

authorized therein, or heretofore authorized by the laws of the State issuing, or whose grantee issued such lease: *Provided, however,* That, if oil or gas was not being produced from such lease on and before December 11, 1950, or if the primary term of such lease has expired since December 11, 1950, then for a term from the effective date hereof equal to the term remaining unexpired on December 11, 1950, under the provisions of such lease or any extensions, renewals, or replacements authorized therein, or heretofore authorized by the laws of the State issuing, or whose grantee issued, such lease: *Provided, however,* That within ninety days from the effective date hereof (i) the lessee shall pay to the State or its grantee issuing such lease all rents, royalties, and other sums payable between June 5, 1950, and the effective date hereof, under such lease and the laws of the State issuing or whose grantee issued such lease, except such rents, royalties, and other sums as have been paid to the State, its grantee, the Secretary of the Interior or the Secretary of the Navy or the Treasurer of the United States and not refunded to the lessee; and (ii) the lessee shall file with the Secretary of the Interior or the Secretary of the Navy and with the State issuing or whose grantee issued such lease, instruments consenting to the payment by the Secretary of the Interior or the Secretary of the Navy or the Treasurer of the United States to the State or its grantee issuing the lease, of all rents, royalties, and other payments under the control of the Secretary of the Interior or the Secretary of the Navy or the Treasurer of the United States or the United States which have been paid, under the lease, except such rentals, royalties, and other payments as have also been paid by the lessee to the State or its grantee;

(d) Nothing in this Act shall affect the use, development, improvement, or control by or under the constitutional authority of the United States of said lands and waters for the purposes of navigation or flood control or the production of power, or be construed as the release or relinquishment of any rights of the United States arising under the constitutional authority of Congress to regulate or improve navigation, or to provide for flood control, or the production of power; Rights of U. S. respecting navigation, etc

(e) Nothing in this Act shall be construed as affecting or intended to affect or in any way interfere with or modify the laws of the States which lie wholly or in part westward of the ninety-eighth meridian, relating to the ownership and control of ground and surface waters; and the control, appropriation, use, and distribution of such waters shall continue to be in accordance with the laws of such States. Surface waters west of 98th meridian.

SEC. 4. SEAWARD BOUNDARIES.—The seaward boundary of each original coastal State is hereby approved and confirmed as a line three geographical miles distant from its coast line or, in the case of the Great Lakes, to the international boundary. Any State admitted subsequent to the formation of the Union which has not already done so may extend its seaward boundaries to a line three geographical miles distant from its coast line, or to the international boundaries of the United States in the Great Lakes or any other body of water traversed by such boundaries. Any claim heretofore or hereafter asserted either by constitutional provision, statute, or otherwise, indicating the intent of a State so to extend its boundaries is hereby approved and confirmed, without prejudice to its claim, if any it has, that its boundaries extend beyond that line. Nothing in this section is to be construed as questioning or in any manner prejudicing the existence of any State's seaward boundary beyond three geographical miles if it was so provided by its constitution or laws prior to or at the time such State became a member of the Union, or if it has been heretofore approved by Congress.

SEC. 5. EXCEPTIONS FROM OPERATION OF SECTION 3 OF THIS ACT.— 132
There is excepted from the operation of section 3 of this Act—

(a) all tracts or parcels of land together with all accretions thereto,

resources therein, or improvements thereon, title to which has been lawfully and expressly acquired by the United States from any State or from any person in whom title had vested under the law of the State or of the United States, and all lands which the United States lawfully holds under the law of the State; all lands expressly retained by or ceded to the United States when the State entered the Union (otherwise than by a general retention or cession of lands underlying the marginal sea); all lands acquired by the United States by eminent domain proceedings, purchase, cession, gift, or otherwise in a proprietary capacity; all lands filled in, built up, or otherwise relcaimed by the United States for its own use; and any rights the United States has in lands presently and actually occupied by the United States under claim of right;

(b) such lands beneath navigable waters held, or any interest in which is held by the United States for the benefit of any tribe, band, or group of Indians or for individual Indians; and

(c) all structures and improvements constructed by the United States in the exercise of its navigational servitude.

SEC. 6. POWERS RETAINED BY THE UNITED STATES.—(a) The United States retains all its navigational servitude and rights in and powers of regulation and control of said lands and navigable waters for the constitutional purposes of commerce, navigation, national defense, and international affairs, all of which shall be paramount to, but shall not be deemed to include, proprietary rights of ownership, or the rights of management, administration, leasing, use, and development of the lands and natural resources which are specifically recognized, confirmed, established, and vested in and assigned to the respective States and others by section 3 of this Act,

(b) In time of war or when necessary for national defense, and the Congress or the President shall so prescribe, the United States shall have the right of first refusal to purchase at the prevailing market price, all or any portion of the said natural resources, or to acquire and use any portion of said lands by proceeding in accordance with due process of law and paying just compensation therefor.

5 U S C 485, 16 U S C 460d, 825a, 30 U S C 35, 36, 38, 43, 46, 47, 51, 52, 33 U S C 701a-1, 701c, 701f, 701j and notes, 708, 709, 43 U S C 321 323, 325, 327–329, 372 498 passim, 661, 766.

SEC. 7. Nothing in this Act shall be deemed to amend, modify, or repeal the Acts of July 26, 1866 (14 Stat. 251), July 9, 1870 (16 Stat. 217), March 3, 1877 (19 Stat. 377), June 17, 1902 (32 Stat. 388), and December 22, 1944 (58 Stat. 887), and Acts amendatory thereof or supplementary thereto.

SEC. 8. Nothing contained in this Act shall affect such rights, if any, as may have been acquired under any law of the United States by any person in lands subject to this Act and such rights, if any, shall be governed by the law in effect at the time they may have been acquired: *Provided, however,* That nothing contained in this Act is intended or shall be construed as a finding, interpretation, or construction by the Congress that the law under which such rights may be claimed in fact or in law applies to the lands subject to this Act, or authorizes or compels the granting of such rights in such lands, and that the determination of the applicability or effect of such law shall be unaffected by anything contained in this Act.

Resources seaward of Continental Shelf

SEC. 9. Nothing in this Act shall be deemed to affect in any wise the rights of the United States to the natural resources of that portion of the subsoil and seabed of the Continental Shelf lying seaward and outside of the area of lands beneath navigable waters, as defined in section 2 hereof, all of which natural resources appertain to the United ⊥States, and the jurisdiction and control of which by the United States is hereby confirmed.

⊥33

18 FR 405

SEC. 10. Executive Order Numbered 10426, dated January 16, 1953, entitled "Setting Aside Submerged Lands of the Continental Shelf as a Naval Petroleum Reserve", is hereby revoked insofar as it applies to any lands beneath navigable waters as defined in section 2 hereof.

SEC. 11. SEPARABILITY.—If any provision of this Act, or any

section, subsection, sentence, clause, phrase or individual word, or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase or individual word to other persons and circumstances shall not be affected thereby; without limiting the generality of the foregoing, if subsection 3 (a) 1, 3 (a) 2, 3 (b) 1, 3 (b) 2, 3 (b) 3, or 3 (c) or any provision of any of those subsections is held invalid, such subsection or provision shall be held separable and the remaining subsections and provisions shall not be affected thereby.

Approved, May 22, 1953.

PUBLIC LAW 44 CHAPTER 86

AN ACT

To authorize payment of salaries and expenses of officials of the Klamath Tribe.

May 29, 1953
[H. R. 3406]
67 Stat. 40
Klamath Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, or such official as may be designated by him, is hereby authorized, until otherwise directed by Congress, to advance to the tribe or to pay out of any unobligated tribal funds of the Klamath Indians in the Treasury of the United States salaries and expenses of tribal officials or representatives (except the Klamath Loan Fund Board) at rates and/or limitations designated in advance by the Klamath General Council, or any governing body to which it may delegate such authority, and approved by the Secretary of the Interior: *Provided*, That the length of stay of representatives serving the tribe at the seat of government shall be determined by the Secretary of the Interior.

SEC. 2. The Act of June 25, 1938 (ch. 710, 52 Stat. 1207), as amende August 7, 1939 (ch. 519, 53 Stat. 1244), as amended May 15, 1945 (ch. 123, 59 Stat. 167), is hereby repealed.

25 U. S. C. 563.

Approved, May 29, 1953.

PUBLIC LAW 47 CHAPTER 98

AN ACT

To authorize the Secretary of the Interior, or his authorized representative, to convey certain school properties to local school districts or public agencies.

June 4, 1953
[H. R. 1242]
67 Stat. 41

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, or his authorized representative, is hereby authorized to convey to State or local governmental agencies or to local school authorities all the right, title, and interest of the United States in any land and improvements thereon and personal property used in connection therewith heretofore or hereafter used for Federal Indian school purposes and no longer needed for such purposes: *Provided*, That the consent of the beneficial owner shall be obtained before the conveyance of title to land held by the United States in trust for an individual Indian or Indian tribe: *Provided further*, That no more than twenty acres of land shall be transferred under the terms of this ⊥Act in connection with any single school property conveyed to State or local governmental agencies or to local school authorities. Any conveyance under this Act shall reserve all mineral deposits in the land and the right to prospect for and remove such deposits under rules and regulations prescribed by the Secretary of the Interior, shall require the property to be used for school or other public purposes, and shall require the property to be available to Indians and non-Indians on the same terms unless otherwise approved by the Secretary of the Interior. If at any time the Secretary of the Interior determines that the grantee of any such lands, improvements, and personal property

Federal Indian schools.
Conveyance of surplus lands, etc.

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has failed to observe the provisions of the transfer agreement and that the failure has continued for at least one year, he may declare a forfeiture of the conveyance and the title conveyed shall thereupon revert to the United States. Such determination by the Secretary of the Interior shall be final.

Approved, June 4, 1953.

PUBLIC LAW 48 CHAPTER 99

AN ACT

June 4, 1953
[H. R. 1243]

To amend the Act of June 30, 1919 (41 Stat. 16).

67 Stat. 42
Blackfeet Reservation, Mont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following proviso of section 10 of the Act of June 30, 1919 (41 Stat. 16), "*Provided*, That of the lands so allotted eighty acres of each allotment shall be designated as a homestead by the allottee and shall be evidenced by a trust patent and shall remain inalienable and non-taxable until Congress shall otherwise direct", be amended to read as follows: "*Provided*, That of the lands so allotted eighty acres of each allotment shall be designated as a homestead allotment by the allottee, and shall be evidenced by a trust patent, which shall be subject to sale, partition, issuance of patent in fee, or other disposition in accordance with the laws relating to the other allotments on the Blackfeet Reservation and shall be nontaxable as long as held in a trust or restricted status".

Repeal.

SEC. 2. The Act of June 2, 1924 (43 Stat. 252, ch. 231) is repealed.

Approved, June 4, 1953.

PUBLIC LAW 49 CHAPTER 100

AN ACT

June 4, 1953
[H. R. 1244]

To amend section 13 of the Act entitled "An Act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds and other purposes".

67 Stat. 42

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provision contained in section 13 of the Act of June 4, 1920 (41 Stat. 751), all homestead, irrigable, or agricultural land on the Crow Reservation may be sold, or patents in fee may be issued therefor, upon application in writing by the Indian owners, subject to the approval of the Secretary of the Interior or his authorized representative, but nothing in this Act shall be construed to abridge the power of the Secretary of the Interior to sell land under any existing law.

Crow Reservation

41 Stat. 756

Approved, June 4, 1953.

PUBLIC LAW 132 CHAPTER 223

AN ACT

July 17, 1953
[H. R. 444]

To amend the Act of May 19, 1947, so as to increase the percentage of certain trust funds held by the Shoshone and Arapaho Tribes of the Wind River Reservation which is to be distributed per capita to individual members of such tribes.

67 Stat. 179

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first proviso in section 3 of the Act entitled "An Act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapaho Tribes of the Wind River Reservation", approved May 19, 1947, as amended, is amended by striking out "two-thirds" wherever it appears therein and by inserting in lieu thereof "80 per centum".

Shoshone and Arapaho Tribes.

61 Stat. 102.
25 U. S. C. 613.

Approved, July 17, 1953.

PUBLIC LAW 153 CHAPTER 245

AN ACT

July 27, 1953
[H. R. 5376]

67 Stat. 197

Making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1954, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1954, for civil functions administered by the Department of the Army and for other purposes, namely:

Civil Functions Appropriations Act, 1954.

CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

* * *

⊥CONSTRUCTION, GENERAL

⊥198

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by law; detailed studies, and plans and specifications, of projects authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction); and not to exceed $1,750,000 for transfer to the Secretary of the Interior for conservation of fish and wildlife as authorized by law; to remain available until expended, $278,670,000: *Provided,* That not more than $5,750 of the amount herein appropriated shall be available for expenditure, in addition to funds heretofore made available for the Garrison Dam and Reservoir project on the Missouri River, to pay to the lawful occupants of properties within the taking area of the project for their improvements which will be rendered useless by the construction of the project, but for which compensation may not be made under existing law because of the occupants' limited right of occupancy: *Provided,* That no part of this appropriation shall be used for projects in the Columbia River Basin which are authorized by a law limiting the amount to be appropriated therefor, except as may be within the limits of the amount now or hereafter authorized to be appropriated: *Provided further,* That funds appropriated herein may at the discretion and under the direction of the Chief of Engineers be used in payment to the accounts of the Confederated Tribes of the Yakima Reservation; the Confederated Tribes of the Warm Springs Reservation; the Confederated Tribes of the Umatilla Reservation; or other recognized Indian tribes, and those individual Indians not enrolled in any recognized tribe, but who through domicile at or in the immediate vicinity of the reservoir and through custom and usage are found to have an equitable interest in the fishery, all of whose fishing rights and interests will be impaired by the Government incident to the construction, operation, or maintenance of the Dalles Dam, Columbia River, Washington and Oregon, and must be subordinated thereto by agreement or litigation.

Garrison Dam and Reservoir.

Columbia River Basin.

Dalles Dam, Columbia River, Payment to Indians.

* * *

Approved, July 27, 1953.

PUBLIC LAW 156 CHAPTER 251

AN ACT

July 28, 1953
[H. R. 5227]

67 Stat. 205

Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1954, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture for the fiscal year ending June 30, 1954, namely:

Department of Agriculture Appropriation Act, 1954.

DEPARTMENT OF AGRICULTURE

TITLE I—REGULAR ACTIVITIES

* * *

1210 ⊥CONTROL OF FOREST PESTS

For expenses necessary for carrying out operations, measures, or surveys necessary to eradicate, suppress, control, or to prevent or retard the spread of insects or diseases which endanger forest trees on any lands in the United States, and for such quarantine measures relating ⊥thereto as may be necessary pursuant to the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151–167), including the purchase (not to exceed one for emergency replacement only) and operation and maintenance of airplanes, and construction and alteration of necessary buildings: *Provided*, That the cost of constructing or altering any one building during the fiscal year shall not exceed $2,500, as follows:

1211 37 Stat. 315

* * *

White pine blister rust: White pine blister rust, pursuant to the Act of April 26, 1940 (16 U. S. C. 594a), $3,000,000, of which $460,000 shall be available to the Department of the Interior for the control of white pine blister rust on or endangering Federal lands under the jurisdiction of that Department or lands of Indian tribes which are under the jurisdiction of or retained under restrictions of the United States; $1,590,000 to the Forest Service for the control of white pine blister rust on or endangering lands under its jurisdiction; and $950,000 to the Bureau of Entomology and Plant Quarantine for leadership and general coordination of the entire program, method development, and for operations conducted under its direction for such control, including, but not confined to, the control of white pine blister rust on or endangering State and privately owned lands.

54 Stat. 168

* * *

Approved, July 28, 1953.

PUBLIC LAW 172 CHAPTER 298

July 31, 1953
[H. R. 4828]

AN ACT

67 Stat. 261

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1954, and for other purposes.

Interior Department Appropriation Act, 1954.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—DEPARTMENT OF THE INTERIOR

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1954, namely:

* * *

1263 ⊥BUREAU OF INDIAN AFFAIRS

HEALTH, EDUCATION, AND WELFARE SERVICES

For expenses necessary to provide health, education, and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $52,000,000.

⊥RESOURCES MANAGEMENT ⊥264

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; conducting agricultural experiments and demonstrations; advances for Indian industrial and business enterprises; and development of Indian arts and crafts as authorized by law; $13,253,760.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, roads, and trails, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; to remain available until expended; $15,869,000: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations: *Provided further*, That of the amount included herein for the construction of roads and trails, such part of the amount as determined by the Commissioner of Indian Affairs shall be available only for roads and trails which State and local governments agree to take over and maintain when the improvement is completed: *Provided further*, That the Secretary may transfer without exchange of funds to the Devils Lake Sioux Tribe of the Fort Totten Reservation, the East Side and Crow Hill day schools together with the lands on which they are situated whenever it is determined they are no longer needed for Bureau purposes: *Provided further*, That the Secretary is authorized to purchase, without regard to the prohibition against the purchase of land from appropriations for Construction, Bureau of Indian Affairs, contained in this or any other Act, not to exceed fifteen hundred acres of nonreservation lands in Arizona, and necessary rights-of-way and easements required for the enlargement of the Picacho Reservoir of the San Carlos Indian irrigation project, and approximately five acres of allotted Indian lands within the Yakima Indian Reservation, Washington, for use of the Wapato irrigation project.

Restrictions

Picacho Reservoir, Ariz

Wapato irrigation project, Wash

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $3,000,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of ice for official use of employees; and expenses required by continuing or permanent treaty provisions.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,040,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and ⊥Indian tribes, including pay and travel expenses of employees; care, tuition and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which ⊥265

shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a recreational director for the Menominee Reservation and a curator for the Osage Museum, each of whom shall be appointed with the approval of the respective tribal councils and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation.

18 U. S. C. 4124. Recreational director; curator.

* * *

Approved, July 31, 1953.

PUBLIC LAW 176 CHAPTER 302

July 31, 1953
[H. R. 4663]

67 Stat. 295

AN ACT

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1954, and for other purposes.

First Independent Offices Appropriation Act, 1954

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1954, namely:

TITLE I

* * *

⊥308

⊥INDIAN CLAIMS COMMISSION

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $117,020, of which not to exceed $3,560 shall be available for expenses of travel.

60 Stat. 1049.

* * *

⊥310

⊥SMITHSONIAN INSTITUTION

Salaries and expenses, Smithsonian Institution: For all necessary expenses for the preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government and from other sources; for the system of international exchanges between the United States and foreign countries; for anthropological researches among the American Indians and the natives of lands under the jurisdiction or protection of the United States, independently or in cooperation with State, educational, and scientific organizations in the United States, and the excavation and preservation of archeological remains; for maintenance of the Astrophysical Observatory and making necessary observations in high altitudes; for the administration of

the National Collection of Fine Arts; for the administration, construction and maintenance, of laboratory and other facilities on Barro Colorado Island, Canal Zone, under the provisions of the Act of July 2, 1940, as amended by the provisions of Reorganization Plan Numbered 3 of 1946; for the maintenance and administration of a national air museum as authorized by the Act of August 12, 1946 (20 U. S. C. 77); including not to exceed $35,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); not to exceed $10,225, for expenses of travel; purchase, repair, and cleaning of uniforms for guards and elevator conductors; repairs and alterations of buildings and approaches; and preparation of manuscripts, drawings, and illustrations for publications; $3,000,000.

54 Stat. 724.
48 U. S. C. 1381-1387.
60 Stat. 1101.
5 U. S. C. 133y-16 note.

60 Stat. 997.
60 Stat. 810.

* * *

Approved, July 31, 1953.

PUBLIC LAW 191 CHAPTER 324

AN ACT

August 5, 1953
[S. 1197]

67 Stat. 365

Granting the consent of Congress to the negotiation by the States of Nebraska, Wyoming, and South Dakota of certain compacts with respect to the use of waters common to two or more of said States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given—

Nebraska, Wyoming, and South Dakota Water compacts.

(1) to the States of Nebraska, Wyoming, and South Dakota to negotiate a compact providing for an equitable division and apportionment among the said States of the waters of the Niobrara River and its tributaries;

(2) to the States of Nebraska and South Dakota to negotiate a compact providing for an equitable division and apportionment between said States of the waters of Ponca Creek and its tributaries; and

(3) to the States of Nebraska, Wyoming, and South Dakota or any two of them to negotiate a compact or compacts relating to the extraction and use of ground waters from sources common to the compacting States.

No compact, the negotiation of which is authorized by this Act, shall be binding or obligatory upon any of the parties thereto unless the negotiations shall have been participated in by a suitable person or persons who shall be appointed by the President to represent the United States and shall make report to the Congress on the proceedings and on the compact and until that compact shall have been ratified by the legislatures of each of the States concerned and approved by the Congress. Nothing contained in any compact negotiated under this Act shall be construed as affecting the obligations of the United States of America to Indian tribes. The authority given by this Act shall, unless otherwise continued by the Congress, expire five years from the date of its approval.

Expiration of authority.

Approved, August 5, 1953.

PUBLIC LAW 246 CHAPTER 400

AN ACT

August 8, 1953
[H. R. 6049]

67 Stat. 522

To amend Public Law 815, Eighty-first Congress, to provide a temporary program of assistance in the construction of minimum school facilities in areas affected by Federal activities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by adding at the end thereof the following new titles:

64 Stat. 967.
20 U. S. C. 251-255, 271-280.

"TITLE III—SCHOOL CONSTRUCTION ASSISTANCE IN AREAS WITH SUBSTANTIAL INCREASES IN FEDERALLY-CONNECTED SCHOOL CHILDREN

"PURPOSE AND APPROPRIATION

"SEC. 301. The purpose of this title is to provide assistance for the construction of urgently needed minimum school facilities in school districts which, since the school year 1951–1952, have had substantial increases in school membership as a result of new or increased Federal activities. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1954, and the succeeding fiscal year such sums as the Congress may determine to be necessary for such purpose.

* * *

1526 ⊥"CHILDREN FOR WHOM LOCAL AGENCIES ARE UNABLE TO PROVIDE EDUCATION

"SEC. 310. In the case of children who, it is estimated, will reside on Federal property June 30, 1954—

"(1) if no tax revenues of the State or any political subdivision thereof may be expended for the free public education of such children; or

"(2) if it is the judgment of the Commissioner, after he has consulted with the appropriate State educational agency, that no local educational agency is able to provide suitable free public education for such children,

the Commissioner shall make arrangements for constructing or otherwise providing the minimum school facilities necessary for the education of such children. To the maximum extent practicable school facilities provided under this section shall be comparable to minimum school facilities provided for children in comparable communities in the State. This section shall not apply (A) to children who reside on Federal property under the control of the Atomic Energy Commission, and (B) to Indian children attending Federally-operated Indian schools. Whenever it will be necessary for the Commissioner to provide school facilities for children residing on Federal property under this section, the membership of such children may not be included in computing under section 305 the maximum on the total of the payments for any local educational agency.

Nonapplicability

* * *

Approved, August 8, 1953.

PUBLIC LAW 248 CHAPTER 402

AN ACT

August 8, 1953
[H. R. 6078]

67 Stat. 530

To amend Public Law 874 of the Eighty-first Congress so as to make improvements in its provisions and extend its duration for a two-year period, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Educational agencies affected by Federal activities.

* * *

1536 ⊥SEC. 9.

64 Stat. 1108.
20 U. S. C. 243.

* * *

(b) Effective as of July 1, 1953, subsection (d) of section 8 of such Act is amended to read as follows:

Availability of appropriations

"(d) No appropriation to any department or agency of the United States, other than an appropriation to carry out this Act, shall be available during the period beginning July 1, 1953, and ending June 30, 1956, for the employment of teaching personnel for the provision of free public education for children in any State or for payments to any

local educational agency (directly or through the State educational agency) for free public education for children, except that nothing in the foregoing provisions of this subsection shall affect the availability of appropriations for the maintenance and operation of school facilities (1) on Federal property under the control of the Atomic Energy Commission or (2) by the Bureau of Indian Affairs."

* * *

SEC. 11. Such Act is amended by adding at the end thereof the following new section:

"ELECTION TO RECEIVE CERTAIN PAYMENTS WITH RESPECT TO THE EDUCATION OF INDIAN CHILDREN

"SEC. 10. (a) The Governor of any State may elect to have the provisions of this section apply with respect to such State for the fiscal year ending June 30, 1955, or the succeeding fiscal year. Notice of such an election shall be filed with the Secretary of the Interior and with the Commissioner of Education (1) before January 1, 1954, in the case of an election for the fiscal year ending June 30, 1955, and ⊥(2) before January 1, 1955, in the case of an election for the fiscal year ending June 30, 1956. ⊥1537

"(b) Whenever the Governor of a State has made such an election and has so filed notice thereof, then with respect to such State for the fiscal year for which such election was made—

"(1) an Indian child who does not meet the requirements of clause (1) of section 3 (a) shall be deemed to meet such requirements if neither of his parents was regularly employed on non-Federal property; and *Ante*, p. 530.

"(2) notwithstanding the second sentence of section 9 (2), the term 'child' as used in this Act (other than section 6) shall be deemed to include an Indian child. 64 Stat. 1108. 20 U. S. C. 244.

"(c) As used in this section, the term 'Indian child' means any child of one-fourth or more degree of Indian blood who is recognized as such under the laws of the United States relating to Indian affairs."

* * *

Approved, August 8, 1953.

PUBLIC LAW 251 CHAPTER 406

AN ACT

To provide for the use of the tribal funds of the Ute Mountain Tribe of the Ute Mountain Reservation, to authorize a per capita payment out of such funds, and for other purposes.

August 12, 1953
[H. R. 5328]
67 Stat. 540

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of existing laws, the tribal funds now on deposit or hereafter deposited in the United States Treasury to the credit of the Ute Mountain Tribe of the Ute Mountain Reservation, may be expended or advanced for such purposes and in a manner, including per capita payments, the purchase of land or any interests therein or improvements thereon and water rights, as may be designated by the Ute Mountain Tribal Council and approved by the Secretary of the Interior: *Provided,* That the purchase of taxable lands under this authority shall not operate to remove such lands from the tax rolls: *Provided further,* That neither the transfer to the tribe of tribal funds, nor the distribution thereof to individual members of the tribe, as provided herein, from those funds consisting of compensation for lands acquired by the United States Government, shall be subject to Federal tax: *And provided further,* That any funds advanced for loans by the tribe to individual Indians or associations of Indians shall be subject to regulations established for the making of

Ute Mountain Tribe

Per capita payment.

48 Stat. 986

loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C., sec. 470).

Restriction.

SEC. 2. No part of the funds authorized to be expended or advanced pursuant to section 1 shall be paid or disbursed to or received by any agent or attorney on account of any contract for services rendered or to be rendered or expenses in the preparation of any suit against the United States.

Approved, August 12, 1953.

PUBLIC LAW 254 CHAPTER 409

AN ACT

August 12, 1953
[H. R. 1383]

To provide for distribution of moneys of deceased restricted members of the Five Civilized Tribes not exceeding $500, and for other purposes.

67 Stat. 558

Five Civilized Tribes, Okla.
Payment to heirs, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby granted authority to disburse to the heirs or legatees of deceased members of the Five Civilized Tribes any sum of money on deposit to the credit of such deceased Indian or Indians, not exceeding $500, where said decedent died seized of no lands or the lands have since been lawfully alienated. Said funds shall be disbursed on proof of death and heirship or bequest satisfactory to the Secretary of the Interior and his finding thereon shall be final and conclusive: *Provided*, That such transfer of funds so disbursed shall not be taxable.

61 Stat. 733
25 U. S. C. 355 note.

SEC. 2. The first sentence of subsection (e) of section 6 of the Act of August 4, 1947 (61 Stat. 731), is hereby amended to read as follows: "On or before the 1st day of January of each year the Secretary of the Interior shall cause to be filed with the county treasurer of each county in the State of Oklahoma where restricted lands of members of the Five Civilized Tribes are situated a list of the nontaxable lands that have been sold during the preceding year."

Approved, August 12, 1953.

PUBLIC LAW 277 CHAPTER 502

AN ACT

August 15, 1953
[H. R. 1055]

To eliminate certain discriminatory legislation against Indians in the United States.

67 Stat. 586

Indian liquor laws.
62 Stat. 757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 53 of title 18, United States Code, is hereby amended by inserting at the end of the chapter analysis preceding section 1151 of such title the following new item:

"1161. Application of Indian liquor laws."

SEC. 2. Title 18, United States Code, is hereby further amended by inserting in chapter 53 thereof immediately after section 1160 a new section, to be designated as section 1161, as follows:

"§ 1161. APPLICATION OF INDIAN LIQUOR LAWS

"The provisions of sections 1154, 1156, 3113, 3488, and 3618, of this title, shall not apply within any area that is not Indian country, nor to any act or transaction within any area of Indian country provided such act or transaction is in conformity both with the laws of the State in which such act or transaction occurs and with an ordinance duly adopted by the tribe having jurisdiction over such area of Indian country, certified by the Secretary of the Interior, and published in the Federal Register."

SEC. 3. The consent of the United States is hereby given to repeal of the third and eleventh paragraphs of article 20 of the constitution of Arizona, and that part of section 1 of article 21 of the constitution ⊥of

New Mexico relating to the sales of intoxicants to Indians, if the people of Arizona and New Mexico shall adopt constitutional amendments to accomplish such repeal.

SEC. 4. Section 9 of the Act of June 4, 1920, An Act to provide for allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes (41 Stat. 751), is hereby repealed. Repeal

Approved, August 15, 1953.

PUBLIC LAW 280 CHAPTER 505

AN ACT

To confer jurisdiction on the State of California, Minnesota, Nebraska, Oregon, and Wisconsin, with respect to criminal offenses and civil causes of action committed or arising on Indian reservations within such States, and for other purposes. August 15, 1953 [H. R. 1063] 67 Stat. 588

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 53 of title 18, United States Code, is hereby amended by inserting at the end of the chapter analysis preceding section 1151 of such title the following new item: Indians.

"1162. State jurisdiction over offenses committed by or against Indians in the Indian country." State jurisdiction over criminal offenses.

SEC. 2. Title 18, United States Code, is hereby amended by inserting in chapter 53 thereof immediately after section 1161 a new section, to be designated as section 1162, as follows:

"§ 1162. STATE JURISDICTION OVER OFFENSES COMMITTED BY OR AGAINST INDIANS IN THE INDIAN COUNTRY

"(a) Each of the States listed in the following table shall have jurisdiction over offenses committed by or against Indians in the areas of Indian country listed opposite the name of the State to the same extent that such State has jurisdiction over offenses committed elsewhere within the State, and the criminal laws of such State shall have the same force and effect within such Indian country as they have elsewhere within the State:

"State of	Indian country affected
California	All Indian country within the State
Minnesota	All Indian country within the State, except the Red Lake Reservation
Nebraska	All Indian country within the State
Oregon	All Indian country within the State, except the Warm Springs Reservation
Wisconsin	All Indian country within the State, except the Menominee Reservation

⊥"(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute or with any regulation made pursuant thereto; or shall deprive any Indian or any Indian tribe, band, or community of any right, privilege, or immunity afforded under Federal treaty, agreement, or statute with respect to hunting, trapping, or fishing or the control, licensing, or regulation thereof. ⊥589 Taxation of property, etc.

"(c) The provisions of sections 1152 and 1153 of this chapter shall not be applicable within the areas of Indian country listed in subsection (a) of this section."

SEC. 3. Chapter 85 of title 28, United States Code, is hereby amended by inserting at the end of the chapter analysis preceding section 1331 of such title the following new item: State jurisdiction over civil causes.

"1360. State civil jurisdiction in actions to which Indians are parties."

SEC. 4. Title 28, United States Code, is hereby amended by inserting in chapter 85 thereof immediately after section 1359 a new section, to be designated as section 1360, as follows:

"§ 1360. STATE CIVIL JURISDICTION IN ACTIONS TO WHICH INDIANS ARE PARTIES

"(a) Each of the States listed in the following table shall have jurisdiction over civil causes of action between Indians or to which Indians are parties which arise in the areas of Indian country listed opposite the name of the State to the same extent that such State has jurisdiction over other civil causes of action, and those civil laws of such State that are of general application to private persons or private property shall have the same force and effect within such Indian country as they have elsewhere within the State:

"State of	Indian country affected
California	All Indian country within the State
Minnesota	All Indian country within the State, except the Red Lake Reservation
Nebraska	All Indian country within the State
Oregon	All Indian country within the State, except the Warm Springs Reservation
Wisconsin	All Indian country within the State, except the Menominee Reservation

Taxation of property, etc

"(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute or with any regulation made pursuant thereto; or shall confer jurisdiction upon the State to adjudicate, in probate proceedings or otherwise, the ownership or right to possession of such property or any interest therein.

"(c) Any tribal ordinance or custom heretofore or hereafter adopted by an Indian tribe, band, or community in the exercise of any authority which it may possess shall, if not inconsistent with any applicable civil law of the State, be given full force and effect in the determination of civil causes of action pursuant to this section."

⊥590

Repeal

⊥SEC. 5. Section 1 of the Act of October 5, 1949 (63 Stat. 705, ch. 604), is hereby repealed, but such repeal shall not affect any proceedings heretofore instituted under that section.

Removal of legal impediment

SEC. 6. Notwithstanding the provisions of any Enabling Act for the admission of a State, the consent of the United States is hereby given to the people of any State to amend, where necessary, their State constitution or existing statutes, as the case may be, to remove any legal impediment to the assumption of civil and criminal jurisdiction in accordance with the provisions of this Act: *Provided,* That the provisions of this Act shall not become effective with respect to such assumption of jurisdiction by any such State until the people thereof have appropriately amended their State constitution or statutes as the case may be.

Consent of U.S. to other States.

SEC. 7. The consent of the United States is hereby given to any other State not having jurisdiction with respect to criminal offenses or civil causes of action, or with respect to both, as provided for in this Act, to assume jurisdiction at such time and in such manner as the people of the State shall, by affirmative legislative action, obligate and bind the State to assumption thereof.

Approved, August 15, 1953.

PUBLIC LAW 281 CHAPTER 506

AN ACT

To terminate certain Federal restrictions upon Indians.

August 15, 1953
[H. R. 3409]
67 Stat. 590

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 467 and 2136 of the Revised Statutes (25 U. S. C., sec. 266) and section 2135 of the Revised Statutes (25 U. S. C., sec. 265), all of the said laws being laws which forbid the sale, purchase, or possession by Indians of personal property which may be sold, purchased, or possessed by non-Indians, are hereby repealed.

Repeals.

SEC. 2. (a) Section 1157 of title 18 of the United States Code, as amended, is further amended by striking the period at the end thereof and adding the following: ": *Provided*, That this section shall apply only to livestock purchased by or for Indians with funds provided from the revolving loan fund established pursuant to the Acts of June 18, 1934 (48 Stat. 984), and June 26, 1936 (49 Stat. 1967), as amended and supplemented, or from tribal loan funds used under regulations of the Secretary of the Interior, and to livestock issued to Indians as loans repayable 'in kind', and to the increase of all such livestock, and only until such time as such loans are repaid: *Provided further*, That it shall be the duty of any purchaser of Indian livestock to use reasonable diligence to ascertain that such livestock are not subject to such loans."

Livestock.
62 Stat. 759.

25 USC 461-509 passim.

(b) Section 1 of the Act of July 4, 1884 (23 Stat. 94, 25 U. S. C., sec. 195), is repealed.

Repeal.

Approved, August 15, 1953.

PUBLIC LAW 284 CHAPTER 509

AN ACT

To provide compensation to the Shoshone and Arapahoe Tribes of Indians for certain lands of the Riverton reclamation project within the ceded portion of the Wind River Indian Reservation, and for other purposes.

August 15, 1953
[H. R. 4483]
67 Stat. 592

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be transferred in the Treasury of the United States from funds now or hereafter made available for carrying on the functions of the Bureau of Reclamation and to be placed to the credit of the Shoshone and Arapahoe Tribes of Indians of the Wind River Indian Reservation in Wyoming, the sum of $1,009,500, said sum shall be credited to and expended for the benefit of said tribes and their members as provided by the Act of May 19, 1947 (61 Stat. 102), as amended by the Act of August 30, 1951 (65 Stat. 208), and by the Act of July 17, 1953 (Public Law 132, Eighty-third Congress), and as may be hereinafter amended, and shall be deemed to constitute full, complete, and final compensation, except as provided in section 5 of this Act, for terminating and extinguishing all of the right, title, estate, and interest, including minerals, gas and oil, of said Indian tribes and their members of, in and to the lands, interests in lands, and any and all past and future damages arising out of the cession to the United States, pursuant to the Act of March 3, 1905 (33 Stat. 1016) of that part of the former Wind River Indian Reservation lying within the following described boundaries:

Shoshone and Arapahoe Tribes.
Compensation.

25 U. S. C. 611-613.

Ante, p. 179.

Wind River Indian Reservation.
Ceded lands.

The perimeter boundaries of the tract of land, dealt with hereinabove, they being also the proposed exterior boundaries of the Riverton reclamation project, Fremont County, Wyoming, are described as follows:

Station 0 to 1, bearing south eighty-nine degrees, fifty-three minutes east, distance fifty-nine one-hundredths mile, beginning at a point in the north boundary of section 22, township 3 north, range 2 west, Wind River meridian, which point is the northwest corner of lot 1,

section 22, and is a meander corner, marking a point on the left bank of the Big Wind River, as established in the public lands survey of the above township and range, which survey was approved on April 15, 1891, by the Surveyor General of the United States. Thence, from said point of beginning, the boundary of the Riverton project bears easterly on the section line between sections 15 and 22, to the section corner common to sections 14, 15, 22, and 23, township 3 north, range 2 west, Wind River meridian.

Station 1 to 2, bearing east, distance 1 mile, from the before-described corner, course bears east on section line between sections 14 and 23 to the corner common to sections 13, 14, 23, and 24, township 3 north, range 2 west, Wind River meridian.

Station 2 to 3, bearing north, distance one-fourth mile, thence, from said section corner, course bears north along section line between sections 13 and 14 to the south one-sixteenth corner in said boundary.

Station 3 to 4, bearing east, distance one mile, departing from the aforesaid boundary between sections 13 and 14, course bears east on the south one-sixteenth line across section 13 to the south one-sixteenth corner between section 13, township 3 north, range 2 west, and section 18, township 3 north, range 1 west, Wind River meridian.

Station 4 to 5, bearing north, distance one-fourth mile, thence, north on the township line to the one-fourth corner between section 13, township 3 north, range 2 west, and section 18, township 3 north, range 1 west, Wind River meridian.

1593 ⊥Station 5 to 6, bearing east, distance three and one-half miles from the before described one-fourth corner, the boundary of the Riverton project bears east on the respective centerlines of sections 18, 17, 16, and to the center one-fourth corner of section 15, township 3 north, range 1 west, Wind River meridian.

Station 6 to 7, bearing north, distance one-half mile, thence north on the centerline of section 15 to the one-fourth corner between sections 10 and 15, township 3 north, range 1 west, Wind River meridian.

Station 7 to 8, bearing east, distance two and one-half miles, from the before described one-fourth corner, course bears east on the respective boundaries between sections 10 and 15, 11 and 14, and 12 and 13, to a point in the Wind River meridian, which point is a section corner common to sections 12 and 13, township 3 north, range 1 west, and sections 7 and 18, township 3 north, range 1 east.

Station 8 to 9, bearing east, distance four and one-half miles, from the before-described section corner the boundary of the Riverton project bears east on the respective section lines between sections 7 and 18, 8 and 17, 9 and 16, 10 and 15, and 11 and 14, to the one-fourth corner between said sections 11 and 14, all in township 3 north, range 1 east, Wind River meridian.

Station 9 to 10, bearing north, distance one-half mile, thence, north on the centerline of section 11 to the C one-fourth corner thereof.

Station 10 to 11, bearing east, distance three-fourths mile, course bears east on the respective centerlines of sections 11 and 12 to the C–W one-sixteenth corner of section 12.

Station 11 to 12, bearing north, distance one-half mile, thence, north on the west one-sixteenth line of section 12 to the west one-sixteenth corner in the boundary between sections 1 and 12, township 3 north, range 1 east, Wind River meridian.

Station 12 to 13, bearing east, distance one-half mile, thence east on said boundary between sections 1 and 12 to the east one-sixteenth corner thereof.

Station 13 to 14, bearing north, distance one-half mile, course bears north on east one-sixteenth line of section 1, township 3 north, range 1 east, Wind River meridian, to the C–E one-sixteenth corner thereof.

Station 14 to 15, bearing east, distance one-fourth mile, thence, east on centerline of said section 1 to a point in the boundary between

sections 1, township 3 north, range 1 east, Wind River meridian, and section 6, township 3 north, range 2 east, Wind River meridian, which point is the most westerly corner between lots 5 and 6 of said section 6.

Station 15 to 16, bearing north, distance one-fourth mile, boundary bears north on township line to corner between lots 4 and 5 of said section 6.

Station 16 to 17, bearing west, distance one-half mile, departing from said township line, boundary of Riverton project bears west on the north one-sixteenth line of section 1, township 3 north, range 1 east, Wind River meridian, to C–N one sixteenth corner thereof, which point the most southerly corner between lots 2 and 3 of said section 1.

Station 17 to 18, bearing north, distance one-fourth mile, thence north on boundary between said lots 2 and 3 to the one-fourth corner in the township line between section 1, township 3 north, range 1 east, Wind River meridian, and section 36, township 4 north, range 1 east, Wind River meridian.

Station 18 to 19, bearing north, distance one-fourth mile, boundary of Riverton project bears north along centerline of said section 36, to the C–S one-sixteenth corner thereof.

Station 19 to 20, bearing west, distance one-half mile, thence, west on the south one-sixteenth line of section 36 aforesaid, to the south ⊥one-sixteenth corner in the boundary between sections 35 and 36, ⊥594
township 4 north, range 1 east, Wind River meridian.

Station 20 to 21, bearing north, distance one-fourth mile, boundary bears north on said boundary between sections 35 and 36 to the one-fourth corner thereof.

Station 21 to 22, bearing west, distance three-fourths mile, course bears west on centerline of section 35 to the C–W one-sixteenth corner thereof.

Station 22 to 23, bearing north, distance one-fourth mile, thence north on west one-sixteenth line of said section 35 to the northwest one-sixteenth corner thereof.

Station 23 to 24, bearing west, distance one-half mile, from said point boundary bears west on the respective north one-sixteenth lines of sections 35 and 34 to the northeast one-sixteenth corner of section 34.

Station 24 to 25, bearing north, distance one and one-half miles, course bears north on the respective east one-sixteenth lines of sections 34, 27, and 22 to the southeast one-sixteenth corner of said section 22.

Station 25 to 26, bearing east, distance two and one-fourth miles, boundary bears east on the respective south one-sixteenth lines of sections 22, 23, and 24 to the south one-sixteenth corner in the boundary between section 24, township 4 north, range 1 east, Wind River meridian, and section 19, township 4 north, range 2 east, Wind River meridian.

Station 26 to 27, bearing north, distance one-fourth mile, thence north one township line to one-fourth corner in boundary between said sections 24 and 19.

Station 27 to 28, bearing east, distance two and one-half miles, departing from said township line, course bears east on the respective centerlines of sections 19, 20 and 21 to C–one-fourth corner of section 21, township 4 north, range 2 east, Wind River meridian.

Station 28 to 29, bearing south, distance one-fourth mile, south on centerline of said section 21 to the C–S one-sixteenth corner thereof.

Station 29 to 30, bearing east, distance two and one-half miles, thence east on the respective S one-sixteenth lines of sections 21, 22, and 23 to the S one-sixteenth corner in the boundary between sections 23 and 24.

Station 30 to 31, bearing south, distance one mile, thence south on the respective boundaries between sections 23 and 24 and 25 and 26 to

the S one-sixteenth corner in boundary between said sections 25 and 26.

Station 31 to 32, bearing east, distance one mile, course bears east from said one-sixteenth corner on the south one-sixteenth line of section 25, township 4 north, range 2 east, Wind River meridian, to a point in the township boundary between said section 25 and section 30, township 4 north, range 3 east, Wind River meridian.

Station 32 to 33, bearing north, distance one and three-fourths miles, boundary bears north on township line to the corner common to sections 13 and 24, township 4 north, range 2 east, Wind River meridian, and sections 18 and 19, township 4 north, range 3 east, Wind River meridian.

Station 33 to 34, bearing west, distance one and one-fourth miles, departing from said township line, course bears west on the respective boundaries between sections 13 and 24 and 14 and 23, township 4 north, range 2 east, Wind River meridian, to the E one-sixteenth corner between said sections 14 and 23.

Station 34 to 35, bearing north, distance one-fourth mile, thence north on east one-sixteenth line of said section 14 to the SE one-sixteenth corner thereof.

⊥595 ⊥Section 35 to 36, bearing west, distance one-fourth mile, thence west on south one-sixteenth line to C–S one-sixteenth corner of said section 14.

Station 36 to 37, bearing north, distance three-fourths mile, from C–S one-sixteenth corner, course bears north on centerline of section to one-fourth corner in boundary between sections 14 and 11, township 4 north, range 2 east, Wind River meridian.

Station 37 to 38, bearing west, distance one-fourth mile, thence west on said boundary between sections 14 and 11 to the W one-sixteenth corner thereof.

Station 38 to 39, bearing north, distance one-half mile, course bears north on west one-sixteenth line of section 11 to C–W one-sixteenth corner thereof.

Station 39 to 40, bearing west, distance one-half mile, from said C–W one-sixteenth corner, course bears west on the respective centerlines of sections 11 and 10 to C–E one-sixteenth corner of section 10.

Station 40 to 41, bearing north, distance one and one-half miles, thence north on the respective east one-sixteenth lines of sections 10 and 3 to a point in the township line, which point is the corner between lots 1 and 2 of said section 3, township 4 north, range 2 east, Wind River meridian.

Station 41 and 42, bearing east, distance twelve one-hundredths mile, the boundary of the Riverton project bears east on the township line from said lot corner to the standard E one-sixteenth corner in the southerly boundary of section 34, township 5 north, range 2 east, Wind River meridian.

Note: Station 42 back; station 35 ahead.

Station 35 to 36, bearing north, distance one-fourth mile, from the before-described one-sixteenth corner, the boundary of the Riverton project bears north to the southeast one-sixteenth corner of section 34, of said township and range.

Station 36 to 37, bearing east, distance three-fourths mile, thence, east on the respective south one-sixteenth lines of sections 34 and 35 to the south one-sixteenth corner in the centerline of said section 35.

Station 37 to 38, bearing north, distance one-fourth mile, from the above-described south one-sixteenth corner the course bears north on centerline of said section 35 to the center one-quarter corner thereof.

Station 38 to 39, bearing east, distance three-fourths mile, thence east on the respective centerlines of sections 35 and 36 to the west one-sixteenth corner of said section 36.

Station 39 to 40, bearing south, distance one-fourth mile, from the

above-described west one-sixteenth corner, the course bears south to the southwest one-sixteenth corner of said section 36.

Station 40 to 41, bearing east, distance three-fourths mile, from said southwest one-sixteenth corner, the course bears east on the south one-sixteenth line to the south one-sixteenth corner between sections 36 and 31 and in the township line between ranges 2 and 3 east of the Wind River meridian.

Station 41 to 42, bearing south, distance one-fourth mile, from the before-described south one-sixteenth corner in the township line, the boundary of the Riverton project bears south to the southeast corner of section 36, township 5 north, range 2 east, Wind River meridian.

Station 42 to 43, bearing east, distance thirty-seven one-hundredths mile, thence east on the township line to the north one-fourth corner of section 6, township 4 north, range 3 east, a closing corner in the survey of that township.

Station 43 to 44, bearing south, distance one-fourth mile, departing from said township line, the bearing of course is south on centerline of section 6 to the north one-sixteenth corner of said section.

⊥Station 44 to 45, bearing east, distance one-fourth mile, thence ⊥596
east from said north one-sixteenth corner to the northeast one-sixteenth corner of said section 6.

Station 45 to 46, bearing south, distance one-fourth mile, thence south on the east one-sixteenth line to the east one-sixteenth corner in the centerline of section 6.

Station 46 to 47, bearing east, distance one mile, from the before-described east one-sixteenth corner, the course bears east on the respective centerlines of said sections 6 and 5 to the east one-sixteenth corner in the centerline of said section 5.

Station 47 to 48, bearing south, distance one-fourth mile, thence south to the southeast one-sixteenth corner of section 5, township 4 north, range 3 east.

Station 48 to 49, bearing east, distance three-fourths mile, thence east on the respective south one-sixteenth lines of sections 5 and 4, to the south one-sixteenth corner in the centerline of the aforesaid section 4.

Station 49 to 50, bearing south, distance one-half mile, from said south one-sixteenth corner, the course bears south on the respective centerlines of sections 4 and 9 to the north one-sixteenth corner in the centerline of said section 9.

Station 50 to 51, bearing east, distance two and one-half miles, from the before said north one-sixteenth corner the boundary of the Riverton project bears east on the respective north one-sixteenth lines of sections 9, 10, and 11, to the north one-sixteenth corner in the boundary between sections 11 and 12, township 4 north, range 3 east, Wind River meridian.

Station 51 to 52, bearing south, distance one-fourth mile, thence south on said boundary to the one-fourth corner between said sections 11 and 12.

Station 52 to 53, bearing east, distance one-fourth mile, thence east on centerline of section 12 to the west one-sixteenth section corner of said section.

Station 53 to 54, bearing south, distance one-fourth mile, thence south on the west one-sixteenth line of section 12 to the southwest one-sixteenth corner thereof.

Station 54 to 55, bearing east, distance one-fourth mile, thence east on the south one-sixteenth line to the south one-sixteenth corner in the centerline of said section 12.

Station 55 to 56, bearing south, distance one-fourth mile, thence south on the aforesaid centerline of section 12 to the one-fourth corner between sections 12 and 13.

Station 56 to 57, bearing east, distance one-fourth mile, from said

one-fourth corner, the course bears east on the boundary between sections 12 and 13 to the east one-sixteenth corner thereof.

Station 57 to 58, bearing south, distance one-fourth mile, thence on the east one-sixteenth line, the course bears south to the northeast one-sixteenth corner of section 13, township 4 north, range 3 east, Wind River meridian.

Station 58 to 59, bearing east, distance one-fourth mile, thence east to a point in the township line, which point is the north one-sixteenth corner of the aforesaid section 13.

Station 59 to 60, bearing south, distance one-fifth mile, thence south on said township line to the closing one-fourth corner of section 18, township 4 north, range 4 east, Wind River meridian.

Station 60 to 61, bearing east, distance one-fifth mile, from said one-fourth corner the boundary of the Riverton project bears east along the centerline of section 18 to the west one-sixteenth corner thereof.

1597 ⊥Station 61 to 62, bearing south, distance one-half mile, thence south along the west one-sixteenth line to the west one-sixteenth corner in the boundary between sections 18 and 19.

Station 62 to 63, bearing east, distance one and three-fourths miles, from the before-described west one-sixteenth corner, the boundary of the Riverton project follows the section line between sections 18 and 19 to the section corner common to 17, 18, 19, and 20; thence continuing east on the boundary between sections 17 and 20 to the section corner common to sections 16, 17, 20, and 21, township 4 north, range 4 east, Wind River meridian.

Station 63 to 64, bearing north, one-fourth mile, thence north from said section corner to the south one-sixteenth corner in the boundary between sections 17 and 16.

Station 64 to 65, bearing east, distance one mile, thence east on the south one-sixteenth line to the south one-sixteenth corner in the boundary between sections 16 and 15.

Station 65 to 66, bearing north, distance one-fourth mile, thence north on the above-described boundary to the one-fourth corner of said sections 15 and 16.

Station 66 to 67, bearing east, distance one-half mile, thence east on the centerline of section 15 to the center one-fourth corner thereof.

Station 67 to 68, bearing north, distance one-fourth mile, thence north on the centerline of section 15 to the north one-sixteenth corner thereof.

Station 68 to 69, bearing east, distance one-half mile, thence east on the north one-sixteenth line of section 15 to the north one-sixteenth corner in the boundary between sections 15 and 14.

Station 69 to 70, bearing north, distance three-fourths mile, from the above-described north one-sixteenth corner, the course bears north on boundary between sections 15 and 14 to corner common to sections 10, 11, 14, and 15; thence, continuing north on the section line between sections 10 and 11 to the one-fourth corner thereof.

Station 70 to 71, bearing east, distance two miles, the course of the Project boundary bears east, from the one-fourth corner above described, on the respective centerlines of sections 11 and 12 to the east one-fourth corner of section 12, township 4 north, range 4 east, Wind River meridian.

Station 71 to 72, bearing north, distance twenty-seven one-thousandths mile, thence from said one-fourth corner, the course bears north to the closing one-fourth corner of section 7, township 4 north, range 5 east, Wind River meridian.

Station 72 to 73, bearing east, distance four miles, from the aforesaid closing one-fourth corner of said section 7, the project boundary bears east on the respective centerlines of sections 7, 8, 9, and 10 to the one-fourth corner between sections 10 and 11, which corner is also a point in the boundary of Boysen Reservoir.

Station 73 to 74, bearing east, distance one-half mile, thence east on the centerline of section 11 to the center one-fourth corner thereof. The said centerline is common to the Boysen Reservoir boundary.

Station 74 to 75, bearing north, distance one-eighth mile, thence north on centerline of said section 11 to the C–S–N one sixty-fourth corner.

Station 75 to 76, bearing east, distance one mile, thence east on the respective S–N, one sixty-fourth lines of sections 11 and 12, township 4 north, range 5 east, Wind River meridian, to the C–S–N, one sixty-fourth corner in centerline of the aforesaid section 12.

Station 76 to 77, bearing south, distance one-eighth mile, the course bears south from the aforesaid C–S–N one sixty-fourth corner to the center one-fourth corner of section 12.

⊥Station 77 to 78, bearing east, distance one-fourth mile, thence ⊥598
east on centerline of section 12 to the east one-sixteenth corner thereof.

Station 78 to 79, bearing south, distance one-fourth mile, thence south on the east one-sixteenth line to SE one-sixteenth corner of said section 12.

Station 79 to 80, bearing east, distance one-eighth mile from said SE one-sixteenth corner, the course bears east to C–E–SE one sixty-fourth corner of said section 12.

Station 80 to 81, bearing south, distance one-eighth mile, thence south to SE–SE one sixty-fourth corner in said section 12, township 4 north, range 5 east, Wind River meridian.

Station 81 to 82, bearing east, distance one and forty-seven one-hundredths miles from said SE–SE one sixty-fourth corner, the Riverton Project and Boysen "Take-line" have a common boundary on the S–S one sixty-fourth line of section 12, township 4 north, range 5 east, Wind River meridian, to a point in the township line, from which point the course bears east on the S–S one sixty-fourth line through section 7, township 4 north, range 6 east, Wind River meridian, to the SE–SW one sixty-fourth corner of section 8.

Station 82 to 83, bearing south, distance seven-eighths mile, thence south on the respective E–W one sixty-fourth line of sections 8 and 17 of said township and range to the C–E–SW one sixty-fourth corner of section 17.

Station 83 to 84, bearing west, distance one-eighth mile, thence west on the south one-sixteenth line to southwest one-sixteenth corner.

Station 84 to 85, bearing south, distance one-fourth mile from said southwest one-sixteenth corner, the course bears south on the west one-sixteenth line to the west one-sixteenth corner in the boundary between sections 17 and 20, township 4 north, range 6 east, Wind River meridian.

Station 85 to 86, bearing west, distance three-eighths mile, thence west on the above-described boundary to the corner common to sections 17, 18, 19, and 20; from which corner the course bears west on the section line between sections 18 and 19 to the E–E one sixty-fourth corner thereof.

Station 86 to 87, bearing south, distance one-fourth mile, thence south on the E–E one sixty-fourth line to C–E–NE one sixty-fourth corner of said section 19, township 4 north, range 6 east, Wind River meridian.

Station 87 to 88, bearing west, distance one-eighth mile from the aforesaid C–E–NE one sixty-fourth corner, the project boundary bears west to the northeast one-sixteenth corner of section 19.

Station 88 to 89, bearing south, distance one-eighth mile, thence south to the C–S–NE one sixty-fourth corner of said section 19.

Station 89 to 90, bearing west, distance one-eighth mile, thence west to the SW–NE one sixty-fourth corner, section 19, township 4 north, range 6 east, Wind River meridian.

Station 90 to 91, bearing south, distance one-eighth mile from the SW–NE one sixty-fourth corner, the course bears south to the C–W–E one sixty-fourth corner of section 19.

Station 91 to 92, bearing west, distance one-eighth mile, thence west on the centerline of section 19 to the center one-fourth corner thereof.

Station 92 to 93, bearing south, distance one-eighth mile, the project boundary then bears south on centerline of section 19 to the C–N–S one sixty-fourth corner thereof.

Station 93 to 94, bearing west, distance one-eighth mile from said C–N–S one sixty-fourth corner, the course bears west on N–S one sixty-fourth line to the NE–SW one sixty-fourth corner of section 19, township 4 north, range 6 east, Wind River meridian.

1599 ⊥Station 94 to 95, bearing south, distance three-eighths mile, thence from said NE–SW one sixty-fourth corner, south on the E–W one sixty-fourth line to the E–W one sixty-fourth corner in the boundary between sections 19 and 30, township 4 north, range 6 east, Wind River meridian.

Station 95 to 96, bearing west, distance one-fourth mile, thence west on the above-described section boundary to a point corresponding to the W–W one sixty-fourth corner between sections 19 and 30.

Station 96 to 97, bearing south, distance one-eighth mile from said W–W one sixty-fourth corner, the course bears south to a point corresponding to the NW–NW one sixty-fourth corner of section 30, township 4 north, range 6 east, Wind River meridian.

Station 97 to 98, bearing west, distance twenty-two one-hundredths mile, thence west through lot 1 of section 30, township 4 north, range 6 east, Wind River meridian, to a point in the township line, from which point the course continues west on the N–N one sixty-fourth line to the NE–NE one sixty-fourth corner of section 25, township 4 north, range 5 east, Wind River meridian.

Station 98 to 99, bearing south, distance one-eighth mile from said NE–NE one sixty-fourth corner, the course bears south to the C–E–NE one sixty-fourth corner of section 25 of said township and range.

Station 99 to 100, bearing west, distance one-eighth mile, thence west on north one-sixteenth line to the northeast one-sixteenth corner of said section 25.

Station 100 to 101, bearing south, distance one-eighth mile, thence south on the east one-sixteenth line to C–S–NE one sixty-fourth corner of the aforesaid section 25.

Station 101 to 102, bearing west, distance one-eighth mile, thence west on the S–N one sixty-fourth line to the SW–NE one sixty-fourth corner of said section 25.

Station 102 to 103, bearing south, distance three-eighths mile, from said SW–NE one sixty-fourth corner, the bearing of the project boundary is south along W–E one sixty-fourth line to the C–W–SE one sixty-fourth corner of section 25, township 4 north, range 5 east, Wind River meridian.

Station 103 to 104, bearing west, distance five-eighths mile, thence from said C–W–SE one sixty-fourth corner, west on the south one-sixteenth line of section 25 to the south one-sixteenth corner in the boundary between sections 26 and 25, of said township and range.

Station 104 to 105, bearing west, distance three-eighths mile, thence west to the C–W–SE one sixty-fourth corner of section 26.

Station 105 to 106, bearing south, distance one-eighth mile, thence south to SW–SE one sixty-fourth corner of said section 26.

Station 106 to 107, bearing west, distance five-eighths mile, from the before described SW–SE one sixty-fourth corner, the project boundary bears west along the S–S one sixty-fourth line to the S–S one sixty-fourth corner in the west boundary of section 26, township 4 north, range 5 east, Wind River meridian.

Station 107 to 108, bearing south, distance one-eighth mile, thence

south along the west boundary of section 26 to the southwest corner thereof, which point is common to sections 26, 27, 34, and 35, township 4 north, range 5 east, Wind River meridian.

Stations 108 to 109, bearing west, distance one-fourth mile from said section corner, the course bears west to the east one-sixteenth corner in the boundary between sections 34 and 27.

Station 109 to 110, bearing south, distance one-eighth mile from said east one-sixteenth corner, the bearing of course is south to the C–N–NE one sixty-fourth corner of section 34 of said township and range.

⊥Station 110 to 111, bearing west, distance three-eighths mile, ⊥600
thence west on N–N one sixty-fourth line to the NE–NW one sixty-fourth corner of said section 34.

Station 111 to 112, bearing south, distance three-eighths mile from the above-described NE–NW one sixty-fourth corner, the project boundary bears south on the E–W one sixty-fourth line to the C–E–W one sixty-fourth corner of section 34.

Station 112 to 113, bearing east, distance one-eighth mile, thence east on the centerline of said section 34 to the center one-fourth corner thereof.

Station 113 to 114, bearing south, distance one-eighth mile, thence south on the centerline of said section 34 to the C–N–S one sixty-fourth corner thereof, of said township and range.

Station 114 to 115, bearing east, distance one-fourth mile, thence east on the N–S one sixty-fourth line to the C–N–SE one sixty-fourth corner of said section 34.

Station 115 to 116, bearing south, distance one-eighth mile, from the C–N–SE one sixty-fourth corner, the course bears south on the east one-sixteenth line to southeast one-sixteenth corner of aforesaid section 34.

Station 116 to 117, bearing east, distance one-eighth mile, thence east from said southeast one-sixteenth corner to the C–E–SE one sixty-fourth corner of the aforesaid section 34.

Station 117 to 118, bearing south, distance one-eighth mile, thence south on the E–E one sixty-fourth line to the SE–SE one sixty-fourth corner of section 34, township 4 north, range 5 east, Wind River meridian.

Station 118 to 119, bearing east, distance one-eighth mile, from the aforesaid SE–SE one sixty-fourth corner of section 34, the course bears east to the S–S one sixty-fourth corner in the boundary between sections 34 and 35.

Station 119 to 120, bearing south, distance one-eighth mile, thence south on the before-described boundary to the section corner common to sections 34 and 35, township 4 north, range 5 east, Wind River meridian, and sections 3 and 2, township 3 north, range 5 east, Wind River meridian.

Station 120 to 121, bearing east, distance one mile, from the before-described section corner, the course bears east on the township line to the section corner common to sections 35 and 36, township 4 north, range 5 east, Wind River meridian, and sections 2 and 1, township 3 north, range 5 east, Wind River meridian.

Station 121 to 122, bearing south, distance one-eighth mile, from the before-described section corner, the course bears south along the boundary between sections 1 and 2, township 3 north, range 5 east, Wind River meridian, to a point corresponding to the N–N one sixty-fourth corner therof.

Station 122 to 123, bearing east, distance one mile, from the before-described point in the west boundary of lot 4, the course bears east through lots 4, 3, 2 and 1 of section 1, aforesaid, to a point in the township line between section 1, township 3 north, range 5 east, Wind River meridian, and section 6, township 3 north, range 6 east, Wind

River meridian, corresponding to the N–N one sixty-fourth corner thereof.

Station 123 to 124, bearing east, distance one hundred and twelve one-thousandths mile, thence from the aforesaid point in the township line, the course bears east to a point in lot 4, section 6 of the aforesaid township and range, which point corresponds to the NW–NW one sixty-fourth corner thereof.

Station 124 to 125, bearing north, distance one-eighth mile, thence north to a point in the township line between section 6 and 31,
1601 town-⊥ship 3 north, range 6 east, Wind River meridian, a point that corresponds to the W–W one sixty-fourth corner thereof.

Station 125 to 126, bearing east, distance one-eighth mile, thence east on said township line to the west one-sixteenth corner between section 6, township 3 north, range 6 east, Wind River meridian, and section 31, township 4 north, range 6 east, Wind River meridian.

Station 126 to 127, bearing north, distance one-eighth mile, thence north on the west one-sixteenth line of said section 31 to the C–S–SW one sixty-fourth corner thereof.

Station 127 to 128, bearing east, distance one-fourth mile, thence east on the S–S one sixty-fourth line to the C–S–S one sixty-fourth corner of section 31, township 4 north, range 6 east, Wind River meridian.

Station 128 to 129, bearing north, distance one-eighth mile from the above-described C–S–S one sixty-fourth corner, the boundary of the Riverton project bears north to the south one-sixteenth corner in the centerline of section 31, of said township and range.

Station 129 to 130, bearing east, distance one-half mile, thence east on the south one-sixteenth line to the south one-sixteenth corner in the boundary between sections 31 and 32.

Station 130 to 131, bearing east, distance one-fourth mile, thence continuing east from said boundary to the southwest one-sixteenth corner of section 32, township 4 north, range 6 east, Wind River meridian.

Station 131 to 132, bearing south, distance one-fourth mile, thence south on the west one-sixteenth line to a point in the township line between sections 32, township 4 north, range 6 east, Wind River meridian, and section 5, township 3 north, range 6 east, Wind River meridian, which point is the common corner of lots 3 and 4, of said section 5.

Station 132 to 133, bearing south, distance three-eighths mile, thence south from said common corner of lots 3 and 4 to the C–S–NW one sixty-fourth corner of section 5.

Station 133 to 134, bearing west, distance one-fourth mile, thence west on the S–N one sixty-fourth line to the S–N one sixty-fourth corner in the boundary between sections 5 and 6, township 3 north, range 6 east, Wind River meridian.

Station 134 to 135, bearing south, distance one-half mile, from said S–N one sixty-fourth corner, the course bears south on said boundary between said sections 5 and 6 to the S–S one sixty-fourth corner thereof.

Station 135 to 136, bearing east, distance one-half mile, thence east on the S–S one sixty-fourth line to the C–S–S one sixty-fourth corner of said section 5.

Station 136 to 137, bearing south, distance one-eighth mile, thence south on the centerline of section 5 to the one-fourth corner between sections 5 and 8, township 3 north, range 6 east, Wind River meridian.

Station 137 to 138, bearing south, distance one-fourth mile from said one-fourth corner the course continues south to the north one-sixteenth corner in the centerline of said section 8.

Station 138 to 139, bearing west, distance one-fourth mile, thence

west on the north one-sixteenth line of said section 8 to the northwest one-sixteenth corner thereof.

Station 139 to 140, bearing south, distance one-eighth mile, thence south to the C–S–NW one sixty-fourth corner of the aforesaid section 8.

Station 140 to 141, bearing west, distance one-eighth mile, thence west on the S–N one sixty-fourth line to the SW–NW one sixty-fourth ⊥corner of section 8, township 3 north, range 6 east, Wind River ⊥602 meridian.

Station 141 to 142, bearing south, distance one-half mile from the before-described corner, the course bears south on the W–W one sixty-fourth line to the SW–SW one sixty-fourth corner of said section 8.

Station 142 to 143, bearing east, distance one-eighth mile, thence east to the C–S–SW one sixty-fourth corner of said section 8.

Station 143 to 144, bearing south, distance one-eighth mile, thence south to the west one-sixteenth corner between sections 8 and 17, township 3 north, range 6 east, Wind River meridian.

Station 144 to 145, bearing south, distance one-fourth mile, from said west one-sixteenth corner the course bears south on the west one-sixteenth line of said section 17 to the northwest one-sixteenth corner therof.

Station 145 to 146, bearing west, distance one-eighth mile, thence west on the north one-sixteenth line of said section 17 to the C–W–NW one sixty-fourth corner thereof.

Station 146 to 147, bearing south, distance one-eighth mile, thence south to the SW–NW one sixty-fourth corner of said section 17.

Station 147 to 148, bearing west, distance one-eighth mile from the aforesaid SW–NW one sixty-fourth corner, the course bears west to the S–N one sixty-fourth corner in the section line between sections 17 and 18, township 3 north, range 6 east, Wind River meridian.

Station 148 to 149, bearing west, distance ninety-seven one-hundredths mile from said S–N one sixty-fourth corner, the course bears west to a point that corresponds to the S–N one sixty-fourth corner in the township boundary between section 18, township 3 north, range 6 east, Wind River meridian, and section 13, township 3 north, range 5 east, Wind River meridian.

Station 149 to 150, bearing west, distance one-fourth mile, thence west from said point to the C–S–NE one sixty-fourth corner of said section 13.

Station 150 to 151, bearing south, distance three-eighths mile, thence south on the east one-sixteenth line to the southeast one-sixteenth corner of said section 13.

Station 151 to 152, bearing east, distance one-eighth mile, thence east from said southeast one-sixteenth corner to the C–E–SE one sixty-fourth corner of section 13.

Station 152 to 153, bearing south, distance one-fourth mile, thence south on the E–E one sixty-fourth line to the E–E one sixty-fourth corner in the boundary between sections 13 and 24, township 3 north, range 5 east, Wind River meridian.

Station 153 to 154, bearing south, distance one mile from said corner, the course continues on the E–E one sixty-fourth line to the E–E one sixty-fourth corner in the boundary between sections 24 and 25, township 3 north, range 5 east, Wind River meridian.

Station 154 to 155, bearing east, distance one-eighth mile, thence east on said boundary to the corner, in the township line, common to sections 24 and 25, township 3 north, range 5 east, Wind River meridian and sections 19 and 30, township 3 north, range 6 east, Wind River meridian.

Station 155 to 156, bearing east, distance two hundred and twenty-eight one-thousandths mile, thence east along section line between lot

4 of section 19 and lot 1 of section 30 to the W–W one sixty-fourth corner common to said lots.

Station 156 to 157, bearing north, distance one-fourth mile, thence north along the east boundary of said lot 4, section 19 to the SW one-sixteenth corner of said section.

1603 ⊥Station 157 and 158, bearing east, distance one-eighth mile, thence east on the south one-sixteenth line to the C–E–SW one sixty-fourth corner of section 19, township 3 north, range 6 east, Wind River meridian.

Station 158 to 159, bearing north, distance one-eighth mile, thence north to the NE–SW one sixty-fourth corner of said section 19.

Station 159 to 160, bearing east, distance three-eighths mile, from said corner, the course bears east to the C–N–SE one sixty-fourth corner of section 19.

Station 160 to 161, bearing north, distance one-eighth mile, thence north to the east one-sixteenth corner on centerline of said section 19.

Station 161 to 162, bearing east, distance one-fourth mile, from said east one-sixteenth corner, the course bears east on said centerline to the one-fourth corner in the boundary between sections 19 and 20, township 3 north, range 6 east, Wind River meridian.

Station 162 to 163, bearing north, distance one-fourth mile, from said one-fourth corner, the course bears north on said boundary to the north one-sixteenth corner thereof.

Station 163 to 164, bearing east, distance one-half mile, thence east on the north one-sixteenth line of section 20, township 3 north, range 6 east, Wind River meridian, to the north one-sixteenth corner in the centerline thereof.

Station 164 to 165, bearing south twenty degrees fifteen minutes west, distance twenty-seven one-hundredths mile, thence southwesterly a distance of one thousand four hundred and eleven and five-tenths feet to a point five hundred feet west of the center one-fourth corner of said section 20.

Station 165 to 166, bearing west, distance sixteen one-hundredths mile from said point, the course bears west on said centerline to the west one-sixteenth corner thereof.

Station 166 to 167, bearing south, distance one-half mile, thence south along the west one-sixteenth line of section 20 to the west one-sixteenth corner in the boundary between sections 20 and 29, township 3 north, range 6 east, Wind River meridian.

Station 167 to 168, bearing west, distance one-eighth mile, thence west on the aforesaid boundary to the W–W one sixty-fourth corner thereof.

Station 168 to 169, bearing south, distance one mile, thence south on the W–W one sixty-fourth line to the N–W one sixty-fourth corner in the boundary between sections 29 and 32, township 3 north, range 6 east, Wind River meridian.

Station 169 to 170, bearing south, distance three-fourths mile, the course continues south on the W–W one sixty-fourth line of section 32 to the C–W–SW one sixty-fourth corner thereof.

Station 170 to 171, bearing east, distance one-eighth mile, thence east to the southwest one-sixteenth corner of the aforesaid section 32.

Station 171 to 172, bearing south, distance one-fourth mile, thence south on the west one-sixteenth line of section 32 to the west one-sixteenth corner in the township line between section 32, township 3 north, range 6 east, Wind River meridian, and section 5, township 2 north, range 6 east, Wind River meridian.

Station 172 to 173, bearing east, distance one-fiftieth mile, thence east on said township line to the northwest corner of lot 3, section 5, township 2 north, range 6 east, Wind River meridian.

Station 173 to 174, bearing south, distance one-fourth mile, thence south along boundary between lots 3 and 4 of said section 5 to their

common corner which is the northwest one-sixteenth corner of said section 5.

⊥Station 174 to 175, bearing east, distance one-fourth mile, thence ⊥604
east on the north one-sixteenth line of said section 5 to north one-sixteenth corner in the centerline thereof.

Station 175 to 176, bearing south, distance one-fourth mile from said north one-sixteenth corner, the course bears south on said centerline to the center one-fourth corner of said section 5, township 2 north, range 6 east, Wind River meridian.

Station 176 to 177, bearing west, distance one-fourth mile, thence west from said center one-fourth corner to the west one-sixteenth corner in the centerline of said section 5, which corner is the northwest corner of lot 9 of the beforesaid section 5.

Station 177 to 178, bearing south, distance three-eighths mile, thence south on the respective west boundaries of lots 9 and 10 of said section 5, to a point corresponding to the C–S–SW one sixty-fourth corner of section 5.

Station 178 to 179, bearing west, distance one-eighth mile, thence west from said point to the SW–SW one sixty-fourth corner of said section 5.

Station 179 to 180, bearing south, distance one-eighth mile, thence south to the W–W one sixty-fourth corner in the boundary between sections 5 and 8, township 2 north, range 6 east, Wind River meridian.

Station 180 to 181, bearing south, distance one-fourth mile, thence south on the W–W one sixty-fourth line to the C–W–NW one sixty-fourth corner of said section 8.

Station 181 to 182, bearing west, distance one hundred and twenty-five one-thousandths mile, thence west on the north one-sixteenth line of said section 8 to the north one-sixteenth corner between sections 7 and 8.

Station 182 to 183, bearing south, distance one-half mile, from said corner, south on the boundary between sections 7 and 8 to the south one-sixteenth corner thereof.

Station 183 to 184, bearing east, distance one-eighth mile, thence east on the south one-sixteenth line to the C–W–SW one sixty-fourth corner of section 8, township 2 north, range 6 east, Wind River meridian.

Station 184 to 185, bearing south, distance one-eighth mile, thence south to the SW–SW one sixty-fourth corner of said section 8.

Station 185 to 186, bearing east, distance one-eighth mile, the course then bears east to a point in the west boundary of lot 7, section 8, said point being midway between the northwest corner of said lot 7 and the said boundary's intersection with the section line between sections 8 and 17, township 2 north, range 6 east, Wind River meridian.

Station 186 to 187, bearing south, distance one-eighth mile, thence from said point, south on the west boundary of said lot 7 to its above-described intersection with the boundary between sections 8 and 17.

Station 187 to 188, bearing south, distance three-fourths mile, the course bears south on the west boundary of lots 2, 3, and 6, of said section 17, to the west corner common to lots 6 and 7.

Station 188 to 189, bearing west, distance one-eighth mile, thence west on the south one-sixteenth line of said section 17 to the C–W–SW one sixty-fourth corner of section 17, township 2 north, range 6 east, Wind River meridian.

Station 189 to 190, bearing south, distance one-fourth mile, thence south on the W–W one sixty-fourth line of said section 17 to the W–W one sixty-fourth corner in the boundary between sections 17 and 20, township 2 north, range 6 east, Wind River meridian.

Station 190 to 191, bearing east, distance thirty-one one-thousandths mile, thence east on the aforesaid boundary a distance of one hundred and sixty-five feet to a point in the said boundary.

⊥605

⊥Station 191 to 192, bearing south, distance one-fourth mile from the aforesaid point in the boundary between sections 17 and 20, the bearing of course is south to a point one hundred and sixty-five feet east of the C–W–NW one sixty-fourth corner of said section 20.

Station 192 to 193, bearing east, distance ninety-four one-thousandths mile, thence east on the north one-sixteenth line to the northwest one-sixteenth corner of said section 20, township 2 north, range 6 east, Wind River meridian.

Station 193 to 194, bearing south, distance three-eighths mile, thence south on the west one-sixteenth line of section 20 to a point corresponding to the C–N–SW one sixty-fourth corner of said section.

Station 194 to 195, bearing west, distance one-eighth mile, the boundary of the Riverton project, then bears west to the NW–SW one sixty-fourth corner of said section 20.

Station 195 to 196, bearing south, distance three-eighths mile, thence south to the W–W one sixth-fourth corner in the boundary between sections 20 and 29, township 2 north, range 6 east, Wind River meridian and the southwest corner of said section 20.

Station 196 to 197, bearing west, distance one-eighth mile, thence west on said boundary to the corner common to sections 19, 20, 29, and 30, township 2 north, range 6 east, Wind River meridian.

Station 197 to 198, bearing west, distance one mile, from said section corner, the course bears west on the boundary between sections 19 and 30 to a corner in the township line common to said sections 24 and 25, township 2 north, range 5 east, Wind River meridian, and sections 19 and 30, township 2 north, range 6 east, Wind River meridian.

Station 198 to 199, bearing north, distance two and one-fourth miles, thence north on the aforesaid township line to the south one-sixteenth corner in the east boundary of section 12, township 2 north, range 5 east, Wind River meridian.

Station 199 to 200, bearing west, distance two and one-fourth miles, thence west from said township line across sections 12 and 11 on the south one-sixteenth lines thereof; hence to the southeast one-sixteenth corner of section 10, township 2 north, range 5 east, Wind River meridian.

Station 200 to 201, bearing north, distance one-fourth mile, thence north to the east one-sixteenth corner in the centerline of said section 10.

Station 201 to 202, bearing west, distance two and three-fourths miles, from the aforesaid one-sixteenth corner, the boundary of the Riverton project bears west on the respective centerlines of sections 10, 9, and 8 to the one-fourth corner in the boundary between sections 8 and 7, township 2 north, range 5 east, Wind River meridian.

Station 202 to 203, bearing south, distance one-fourth mile, thence south to the south one-sixteenth corner between the aforesaid sections 7 and 8.

Station 203 to 204, bearing west, distance three-fourths mile, thence west on the south one-sixteenth line of section 7 to the southwest one-sixteenth corner thereof.

Station 204 to 205, bearing south, distance one-fourth mile, thence south to the west one-sixteenth corner in the boundary between sections 7 and 18, township 2 north, range 5 east.

Station 205 to 206, bearing west, distance one-fourth mile, thence west along said boundary to the section corner in the township line common to the aforesaid sections 7 and 18, township 2 north, range 5 east, Wind River meridian, and sections 12 and 13, township 2 north, range 4 east, Wind River meridian.

Station 206 to 207, bearing south, distance one mile, from the aforesaid corner, the course bears south on the township line to the

⊥606

⊥corner common to sections 18 and 19, township 2 north, range 5 east,

Wind River meridian, and sections 13 and 24, township 2 north, range 4 east, Wind River meridian.

Station 207 to 208, bearing west, distance one mile from said corner, the course bears west to the corner common to sections 13, 14, 23, and 24, township 2 north, range 4 east, Wind River meridian.

Station 208 to 209, bearing south, distance one and one-fourth miles, the course bears south from said section corner on the respective boundaries between sections 23 and 24, 25 and 26, to the north one-sixteenth corner in the boundary between sections 26 and 25, all in township 2 north, range 4 east, Wind River meridian.

Station 209 to 210, bearing west, distance three-fourths mile, thence west on the north one-sixteenth line of section 26, to the northwest one-sixteenth corner thereof.

Station 210 to 211, bearing south, distance three-fourths mile, thence south on the west one-sixteenth line to the west one-sixteenth corner in the boundary between sections 26 and 35, township 2 north, range 4 east, Wind River meridian.

Station 211 to 212, bearing west, distance one-fourth mile, thence west to the section corner common to sections 26, 27, 34, and 35 of the above township and range.

Station 212 to 213, bearing south, distance one-half mile, thence south on the boundary between sections 34 and 35 to the one-fourth corner thereof.

Station 213 to 214, bearing west, distance 2 miles from said one-fourth corner, the course bears west on the respective centerlines of sections 34 and 33 to the one-fourth corner in the boundary between sections 33 and 32, township 2 north, range 4 east, Wind River meridian.

Station 214 to 215, bearing north, distance one-half mile, thence north from said one-fourth corner to the section corner common to sections 28, 29, 32, and 33, township 2 north, range 4 east, Wind River meridian.

Station 215 to 216, bearing west, distance one and one-half miles, thence west to the section corner common to sections 29, 30, 31, and 32; thence the course continues west on boundary between sections 30 and 31 to the one-fourth corner thereof.

Station 216 to 217, bearing south, distance one and one-half miles, from the aforesaid one-fourth corner, the course bears south on the centerline of section 31 to the one-fourth corner in the township line between said section 31, township 2 north, range 4 east, Wind River meridian and section 6, township 1 north, range 4 east, Wind River meridian; from which point the course bears south to the center one-fourth corner of said section 6.

Station 217 to 218, bearing east, distance one-half mile, thence east to the one-fourth corner in boundary between sections 5 and 6, township 2 north, range 4 east, Wind River meridian.

Station 218 to 219, bearing south, distance one-half mile, thence south on said boundary to the section corner common to sections 5, 6, 7, and 8, township 1 north, range 4 east, Wind River meridian.

Station 219 to 220, bearing east, distance one-half mile, from said corner, the course bears east on the boundary between sections 5 and 8 to the one-fourth corner thereof.

Station 220 to 221, bearing south, distance one mile, from the aforesaid one-fourth corner, the course bears south on the centerline of section 8 to the one-fourth corner in the boundary between sections 8 and 17.

Station 221 to 222, bearing west, distance one-half mile, thence west on the aforesaid boundary to the section corner common to sec- ⊥ tions ⊥607
7, 8, 18, and 17, township 1 north, range 4 east, Wind River meridian.

Station 222 to 223, bearing south, distance one mile, from said section corner, the course of the Riverton Project bears south on the

boundary between sections 17 and 18 to the section corner common to sections 17, 18, 19 and 20, township 1 north, range 4 east, Wind River meridian.

Station 223 to 224, bearing west, distance one-half mile, thence west on the boundary between sections 18 and 19 to the one-fourth corner thereof.

Station 224 to 225, bearing south, distance one-half mile, from said one-fourth corner, the course bears south on the centerline of section 19 to the center one-fourth corner thereof.

Station 225 to 226, bearing west, distance one-half mile, thence west to the one-fourth corner in the boundary between section 19, township 1 north, range 4 east, Wind River meridian and section 24, township 1 north, range 3 east, Wind River meridian.

Station 226 to 227, bearing west, distance one mile from said one-fourth corner, the course bears west on the centerline of section 24 to the one-fourth corner between sections 23 and 24, township 1 north, range 3 east, Wind River meridian.

Station 227 to 228, bearing north, distance one-half mile, thence north to the corner common to sections 13, 14, 23, and 24.

Station 228 to 229, bearing west, distance one-half mile, thence west on the boundary between sections 14 and 23 to one-fourth corner thereof.

Station 229 to 230, bearing north, distance one mile, the course then bears north on the centerline of section 14 to the one-fourth corner in the boundary between said section 14 and section 11, township 1 north, range 3 east, Wind River meridian.

Station 230 to 231, bearing west, distance one and one-half miles, thence west on the respective boundaries between sections 11 and 14, 10 and 15, to the corner common to sections 9, 10, 15, and 16, township 1 north, range 3 east, Wind River meridian.

Station 231 to 232, bearing north, distance one-half mile, thence north on the section line between sections 9 and 10 to the one-fourth corner thereof.

Station 232 to 233, bearing west, distance one-half mile from said one-fourth corner, the course bears west to center one-fourth corner of section 9, township 1 north, range 3 east, Wind River meridian.

Station 233 to 234, bearing north, distance one-half mile, thence north on the centerline of said section 9 to the one-fourth corner in the boundary between sections 4 and 9.

Station 234 to 235, bearing west, distance one mile, thence west to the section corner common to sections 4, 5, 8 and 9, township 1 north, range 3 east, Wind River meridian; thence west on the boundary between sections 5 and 8 to the one-fourth corner thereof.

Station 235 to 236, bearing north, distance one-half mile, thence north on the centerline of said section 5 to the center one-fourth corner thereof.

Station 236 to 237, bearing west, distance one mile, thence west on the respective centerlines of sections 5 and 6 to the center one-fourth corner of said section 6.

Station 237 to 238, bearing north, distance one-half mile, from said center one-fourth corner, the course bears north on the centerline of section 6 to the north one-fourth corner thereof in the township line.

Station 238 to 239, bearing north, distance 1 mile, from the aforesaid north one-fourth corner of section 6, which is the south one-fourth corner of section 31, township 2 north, range 3 east, Wind River merid-⊥ian, the course of the project boundary bears north on the centerline of said section 31 to the north one-fourth corner thereof.

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Station 239 to 240, bearing west, distance one-half mile, thence west to the corner in the township line common to sections 30 and 31, township 2 north, range 3 east, Wind River meridian, and sections 25 and 36, township 2 north, range 2 east, Wind River meridian.

Station 240 to 241, bearing west, distance 1 mile, thence west on the boundary between sections 25 and 36 to the corner common to sections 25, 26, 35, and 36, township 2 north, range 2 east, Wind River meridian.

Station 241 to 242, bearing north, distance one mile, from the aforesaid corner the course bears north on the section line to the corner common to sections 23, 24, 25, and 26, township 2 north, range 2 east, Wind River meridian.

Station 242 to 243, bearing west, distance one mile, thence west on the section line to the corner common to sections 22, 23, 26, and 27, township 2 north, range 2 east, Wind River meridian.

Station 243 to 244, bearing north, distance one-half mile, thence from said section corner, north on the section line to the one-fourth corner between sections 22 and 23 of the aforesaid township and range.

Station 244 to 245, bearing west, distance two and one-fourth miles from said one-fourth corner, the course bears west on the respective centerlines of sections 22 and 21 to the east one-sixteenth corner in the centerline of section 20, all in township 2 north, range 2 east, Wind River meridian.

Station 245 to 246, bearing south, distance one mile, thence south on the respective east one-sixteenth lines of sections 20 and 29 to the east one-sixteenth corner in the centerline of said section 29, township 2 north, range 2 east, Wind River meridian.

Station 246 to 247, bearing west, distance one-fourth mile, thence west to the center one-fourth corner of said section 29.

Station 247 to 248, bearing north, distance one-eighth mile, thence north to the C–S–N one sixty-fourth corner of section 29.

Station 248 to 249, bearing west, distance one-fourth mile, thence west on the S–N one sixty-fourth line to the west one-sixteenth line of said section 29.

Station 249 to 250, bearing north, distance one-eighth mile, thence north on said west one-sixteenth line to the northwest one-sixteenth corner of section 29.

Station 250 to 251, bearing west, distance one-eighth mile, thence west to the C–W–NW one sixty-fourth corner of said section 29.

Station 251 to 252, bearing north, distance one-fourth mile, thence north on the W–W one sixty-fourth line to the W–W one sixty-fourth corner in the boundary between sections 20 and 29, township 2 north, range 2 east, Wind River meridian.

Station 252 to 253, bearing west, distance one and seven one-hundredths miles, thence west, from the aforesaid W–W one sixty-fourth corner, on the respective boundaries between sections 20 and 29, 19 and 30 to the section corner in the township line common to sections 19 and 30, township 2 north, range 2 east, Wind River meridian.

Station 253 to 254, bearing west, distance thirty-one one-hundredths mile, thence from said township boundary, the course bears west on the section line between sections 24 and 25, township 2 north, range 1 east, Wind River meridian to a meander corner on the left bank of Wind River.

Station 254 to 255, bearing north one degree thirty minutes east, distance twenty-four one-hundredths mile, thence departing from ⊥said section line, the project boundary bears northeasterly along the left bank of Wind River to a meander corner section 24 of said township and range. ⊥ 609

Station 255 to 256, bearing north five degrees no minutes east, distance twenty-one one-hundredths mile, thence continues on said meander of Wind River in section 24.

Station 256 to 257, bearing north eight degrees fifteen minutes east, distance twenty-two one-hundredths mile, thence continues on said meander of Wind River in Section 24.

Station 257 to 258, bearing north ten degrees fifteen minutes west, distance one-fifth mile, thence continues on said meander of Wind River to a point in said section 24.

Station 258 to 259, bearing north forty-six degrees no minutes west, distance one-fifth mile, thence continues on the left bank of Wind River to a meander corner in the section line between sections 13 and 24, township 2 north, range 1 east, Wind River meridian; said meander corner bears north eighty-nine degrees fifty-three minutes west, a distance of two thousand two hundred and seventy-seven feet from the township corner common to the before-said sections 13 and 24.

Station 259 to 260, bearing east, distance eighteen one-hundredths mile, thence east on the above-described section line between sections 13 and 24 to the southeast corner of lot 1, of said section 13.

Station 260 to 261, bearing north, distance one-half mile from said lot corner, the boundary bears north on the east one-sixteenth line to the east one-sixteenth corner in the centerline of said section 13.

Station 261 to 262, bearing west, distance one-fourth mile, thence west to the center one-fourth corner of the aforesaid section 13.

Station 262 to 263, bearing north, distance one-eighth mile, from said center one-fourth corner of section 13, the course bears north to C–S–N one sixty-fourth corner thereof.

Station 263 to 264, bearing west, distance one-fourth mile, thence west to the C–S–NW one sixty-fourth corner of said section 13.

Station 264 to 265, bearing north, distance three-eighths mile, thence north from the before-described corner to the west one-sixteenth corner in the boundary between sections 13 and 12, township 2 north, range 1 east, Wind River meridian.

Station 265 to 266, bearing east, distance one-fourth mile, thence east on said boundary to the one-fourth corner thereof.

Station 266 to 267, bearing north, distance one-fourth mile, the course then bears north on centerline of said section 12 to the south one-sixteenth corner thereof.

Station 267 to 268, bearing west, distance one-half mile, thence west to the south one-sixteenth corner in the boundary between sections 11 and 12.

Station 268 to 269, bearing north, distance three-fourths mile, thence north on the before-described boundary to a corner common to sections 1, 2, 11, and 12, township 2 north, range 1 east, Wind River meridian.

Station 269 to 270, bearing west, distance one-fourth mile, from said section corner, the course bears west on the boundary between sections 2 and 11 to the east one-sixteenth corner thereof.

Station 270 to 271, bearing north, distance one-fourth mile, thence north on the east one-sixteenth line to the southeast one-sixteenth corner of said section 2, township 2 north, range 1 east, Wind River meridian.

Station 271 to 272, bearing west, distance one-fourth mile, thence west to the south one-sixteenth corner in the centerline of the aforesaid section 2.

1610 ⊥Station 272 to 273, bearing north, distance one-fourth mile, thence north to the center one-fourth corner of section 2.

Station 273 to 274, bearing west, distance one-fourth mile, thence west on the centerline of said section 2 to the west one-sixteenth corner thereof.

Station 274 to 275, bearing north, distance one-half mile, thence north on the west one-sixteenth line of the before-said section 2 to the west one-sixteenth corner thereof in the township boundary.

Station 275 to 276, bearing west, distance one-fourth mile, thence west along said township line to the corner common to sections 2 and 3, township 2 north, range 1 east, Wind River meridian, and sections 34 and 35, township 3 north, range 1 east, Wind River meridian.

Station 276 to 277, bearing north, distance one-fourth mile, from said corner the boundary of the Riverton project bears north on boundary between sections 34 and 35, above-described, to the south one-sixteenth corner thereof.

Station 277 to 278, bearing west, distance one and one-fourth miles, from said south one-sixteenth corner the course bears west on the respective south one-sixteenth lines of sections 34 and 33 to the southeast one-sixteenth corner of the aforesaid section 33, township 3 north, range 1 east, Wind River meridian.

Station 278 to 279, bearing north, distance one-fourth mile, thence north to the east one-sixteenth corner in the centerline of said section 33.

Station 279 to 280, bearing west, distance one mile, thence west on the respective centerlines of sections 33 and 32, township 3 north, range 1 east, Wind River meridian, to the east one-sixteenth corner in the before-described section 32.

Station 280 to 281, bearing north, distance one-fourth mile, thence north to the northeast one-sixteenth corner of section 32, aforesaid.

Station 281 to 282, bearing west, distance one-half mile, thence west on the north one-sixteenth line of said section 32 to the northwest one-sixteenth corner thereof.

Station 282 to 283, bearing north, distance one-fourth mile, thence north to the west one-sixteenth corner in the boundary between sections 29 and 32, township 3 north, range 1 east, Wind River meridian.

Station 283 to 284, bearing west, distance one-fourth mile, the course then bears west to the section corner common to sections 29, 30, 31, and 32, township 3 north, range 1 east, Wind River meridian.

Station 284 to 285, bearing south, distance one-fourth mile, thence south to the northeast corner of lot 5, section 31, of the before-said township and range.

Station 285 to 286, bearing west, distance one-fourth mile, thence west on the north side of lot 5 to the northwest corner thereof.

Station 286 to 287, bearing north, distance one-half mile, the project boundary then bears north on the respective east one-sixteenth lines of sections 31 and 30 to the southeast one-sixteenth corner of the aforesaid section 30, township 3 north, range 1 east, Wind River meridian.

Station 287 to 288, bearing west, distance one-fourth mile, thence west to the south one-sixteenth corner in the centerline of said section 30.

Station 288 to 289, bearing north, distance one-fourth mile, thence north to the center one-fourth corner of said section 30.

Station 289 to 290, bearing west, distance forty-seven one-hundredths mile, thence west on the centerline of section 30 to the one-fourth corner between said section 30, township 3 north, range 1 east, Wind River meridian, and section 25, township 3 north, range 1 west, Wind River meridian.

⊥Station 290 to 291, bearing north, distance one-fourth mile, thence north on the township line to the north one-sixteenth corner between the before-described sections. ⊥611

Station 291 to 292, bearing west, distance three-fourths mile, the course then bears west on the north one-sixteenth line of said section 25 to the northwest one-sixteenth corner thereof.

Station 292 to 293, bearing north, distance one-fourth mile, thence north to the west one-sixteenth corner in the boundary between sections 25 and 24, township 3 north, range 1 west, Wind River meridian.

Station 293 to 294, bearing west, distance one-fourth mile, thence west to the corner common to sections 23, 24, 25, and 26, township 3 north, range 1 west, Wind River meridian.

Station 294 to 295, bearing north, distance one-fourth mile, thence north on the boundary between sections 23 and 24 to the south one-sixteenth corner thereof.

Station 295 to 296, bearing west, distance one-half mile, thence west on the south one-sixteenth line of said section 23 to the south one-sixteenth corner in the centerline thereof.

Station 296 to 297, bearing north, distance one-half mile, thence north on said centerline to the north one-sixteenth corner of beforesaid section 23.

Station 297 to 298, bearing west, distance one mile, from said north one-sixteenth corner, the project boundary bears west on the respective north one-sixteenth lines of sections 23 and 22, township 3 north, range 1 west, Wind River meridian, to the north one-sixteenth corner in the centerline of said section 22.

Station 298 to 299, bearing north, distance one-fourth mile, thence north on the centerline of said section to the one-fourth corner in the boundary between sections 22 and 15, township 3 north, range 1 west, Wind River meridian.

Station 299 to 300, bearing west, distance one and one-fourth miles, the course bears west, from said one-fourth corner, on the respective boundaries between sections 15 and 22, 16 and 21, to the west one-sixteenth corner in the boundary between said sections 16 and 21, all in township 3 north, range 1 west, Wind River meridian.

Station 300 to 301, bearing south, distance one-fourth mile; thence south to the northwest one-sixteenth corner of section 21, aforesaid.

Station 301 to 302, bearing west, distance one-half mile, thence west on the respective north one-sixteenth lines of sections 21 and 20 to the northeast one-sixteenth corner of section 20, township 3 north, range 1 west, Wind River meridian.

Station 302 to 303, bearing north, distance one-fourth mile, the course then bears north to the east one-sixteenth corner in the boundary between sections 17 and 20.

Station 303 to 304, bearing west, distance one-half mile, thence west on said boundary to the west one-sixteenth corner thereof.

Station 304 to 305, bearing north, distance on-fourth mile, thence north on the west one-sixteenth line of said section 17 to the southwest one-sixteenth corner therof.

Station 305 to 306, bearing west, distance one-fourth mile from the aforesaid one-sixteenth corner the course bears west to the south one-sixteenth corner in the boundary between sections 17 and 18.

Station 306 to 307, bearing south, distance one-fourth mile, thence south on said boundary to the corner common to sections 17, 18, 19, and 20, township 3 north, range 1 west, Wind River meridian.

Station 307 to 308, bearing west, distance one mile, thence west on the boundary between sections 18 and 19 to the corner in the township line common to sections 18 and 19, township 3 north, range 1 west, Wind River meridian, and sections 13 and 24, township 3 north, range 2 west, Wind River meridian.

1612 ⊥Station 308 to 309, bearing west, distance one-fourth mile, thence from said corner the course bears west to the east one-sixteenth corner in the boundary between sections 13 and 24, aforesaid.

Station 309 to 310, bearing south, distance one-fourth mile, the course then bears south to the northeast one-sixteenth corner of said section 24.

Station 310 to 311, bearing west, distance three-fourths mile, thence west on the north one-sixteenth line of section 24 to the north one-sixteenth corner in the boundary between sections 23 and 24, township 3 north, range 2 west, Wind River meridian, which point is the northwest corner of lot 4 section 24, aforesaid.

Station 311 to 312, bearing south, distance three one-hundredths mile, thence south on the boundary between sections 24 and 23 to the

southwest corner of lot 4 aforesaid, which point is a meander corner in the left bank of Wind River.

Station 312 to 313, bearing north seventy-five degrees forty-five minutes west, distance twenty-eight one-hundredths mile, thence to a meander corner on the left bank of Wind River.

Station 313 to 314, bearing south eighty-nine degrees forty-five minutes west, distance twenty-two one-hundredths mile, the course bears westerly to a meander corner.

Station 314 to 315, bearing north fifty-seven degrees no minutes west, distance fifteen one-hundredths mile, thence to a meander corner on the left bank of Wind River.

Purchase by member of tribe.

Station 315 to 316, bearing south eighty-one degrees no minutes west, distance eleven one-hundredths mile, the course continues upstream along the left bank of Wind River to a meander corner, and to the point of beginning:

Provided, That any member, or the heirs or assignees of any member, of either of said tribes, who on the 24th day of July 1952, had an existing and valid assignment on any part of the above-described land, shall have the right, at his or her option, within one year after the date of enactment of this Act, to enter into a contract with the United States, by and through the Bureau of Reclamation, for the purchase, at a price and on terms satisfactory to the Secretary of the Interior, of all or any contiguous part of such assignment, and upon final payment of the purchase price therefor, a fee patent accordingly shall be issued to such assignee, subject to reservations of all oil, gas, and minerals to the United States, and subject to section 5 of this Act, and if any part of the land so selected shall contain land irrigable under the Riverton reclamation project, then said patented land shall be subject to all irrigation charges, taxes, and liens imposed by Federal or State law, to the same extent and in like manner as other lands of the Riverton reclamation project: *Provided further*, That all existing contracts relating to irrigation charges, with respect to such irrigable land, shall remain in full force and effect: *And provided further*, That nothing in this Act shall be construed to affect the rights and interests in and to any land embraced within the tract described herein that has been allotted to an individual member of either of the said tribes which, on the date of enactment of this Act, is held by the United States in trust for such member or his or her heirs.

Lands restored to public domain.

SEC. 2. Subject only to the existing rights and interests which are not extinguished and terminated by this Act, all unentered and vacant lands within the area described in section 1 hereof, are hereby restored to the public domain for administration, use, occupancy, and disposal under the reclamation and public land laws of the United States: *Provided*, That the sale or other disposition of such lands shall be at rates and upon terms and conditions approved by the Secretary of the Interior: *Provided further*, That the average price of all such lands disposed of by sale shall be not less than $6.25 per acre.

⊥613 Funds.

⊥SEC. 3. The sum transferred to the credit of the Shoshone and Arapahoe Tribes of Indians as aforesaid and the expenses of carrying out the provisions of this Act shall be nonreimbursable and nonreturnable under the reclamation laws of the United States. The net proceeds derived from the disposal of said lands shall be covered into the general fund of the Treasury or into the reclamation fund as the Secretary of the Interior shall find appropriate in the light of the source from which the funds transferred or expended in carrying out this Act are derived.

Lands restored to tribes.

32 Stat. 388.
5 U. S. C. 485; 43 U. S. C. 391.

SEC. 4. Subject to any outstanding rights and interests, all of the ceded lands of the Wind River Reservation withdrawn pursuant to the Act of June 17, 1902, for the development of the Riverton reclamation project, Wyoming, not included within the boundaries of the tract described in section 1 of this Act, are hereby restored to the ownership

25 U. S. C. 571-577

of said tribes to the same extent as the ownership provided by the Act of July 27, 1939 (53 Stat. 1128), with respect to vacant lands ceded to the United States under the provisions of the Act of March 3, 1905 (33 Stat. 1016), but not subsequently withdrawn for reclamation purposes: *Provided*, That the compensation authorized in section 1 hereof shall also be deemed to release the United States from any and all claims for damages whatsoever arising out of withdrawal of lands herein restored to tribal ownership.

Gross receipts from leases, etc.

SEC. 5. Notwithstanding any other provision of law, the United States shall deposit in the Treasury of the United States to the credit of said tribes, to be available for expenditure for the benefit of said tribes and their members, as provided by the Act of May 19, 1947 (61 Stat. 102), as amended by the Act of August 30, 1951 (65 Stat. 208), and by the Act of July 17, 1953 (Public Law 132, Eighty-third Congress), and as may be hereinafter amended, 90 per centum of the gross receipts of the United States, as they are received from time to time, from all leases, bonuses, royalties, or other proceeds derived under the mining and mineral-leasing laws of the United States from any and all lands in which all rights and interests of the tribes are terminated and extinguished by the terms and conditions of section 1 of this Act and which are embraced within the boundaries of the tract described in said section 1. Notwithstanding any other provision of law the remaining 10 per centum of such gross receipts shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

25 U. S. C. 611-613

Ante, p. 179

Rejection privilege

SEC. 6. Should this Act become law subsequent to June 30, 1954, there is hereby reserved to the Shoshone and Arapahoe Tribes the privilege of rejecting, within one hundred and twenty days after the date of the Act, the terms and conditions of its sections 1, 4, and 5. If those terms and conditions are rejected, no part of the Act shall become effective.

SEC. 7. The Secretary of the Interior is authorized to perform any and all acts to carry out the provisions and purposes of this Act.

Approved, August 15, 1953.

CONCURRENT RESOLUTION OF THE EIGHTY-THIRD CONGRESS, FIRST SESSION, 1953

INDIANS

August 1, 1953
[H. Con. Res. 108]

67 Stat. B122

Whereas it is the policy of Congress, as rapidly as possible, to make the Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship; and

Whereas the Indians within the territorial limits of the United States should assume their full responsibilities as American citizens: Now, therefore, be it

Freedom from Federal supervision

Resolved by the House of Representatives (the Senate concurring), That it is declared to be the sense of Congress that, at the earliest possible time, all of the Indian tribes and the individual members thereof located within the States of California, Florida, New York, and Texas, and all of the following named Indian tribes and individual members thereof, should be freed from Federal supervision and control and from all disabilities and limitations specially applicable to Indians: The Flathead Tribe of Montana, the Klamath Tribe of Oregon, the Menominee Tribe of Wisconsin, the Potowatamie Tribe of Kansas and Nebraska, and those members of the Chippewa Tribe who are on the Turtle Mountain Reservation, North Dakota. It is further declared to be the sense of Congress that, upon the release of such tribes and individual members thereof from such disabilities and

limitations, all offices of the Bureau of Indian Affairs in the States of California, Florida, New York, and Texas and all other offices of the Bureau of Indian Affairs whose primary purpose was to serve any Indian tribe or individual Indian freed from Federal supervision should be abolished. It is further declared to be the sense of Congress that the Secretary of the Interior should examine all existing legislation dealing with such Indians, and treaties between the Government of the United States and each such tribe, and report to Congress at the earliest practicable date, but not later than January 1, 1954, his recommendations for such legislation as, in his judgment, may be necessary to accomplish the purposes of this resolution.

Report to Congress.

Passed August 1, 1953.

PUBLIC LAWS OF THE EIGHTY-THIRD CONGRESS, SECOND SESSION, 1954

PUBLIC LAW 306 CHAPTER 78

AN ACT

March 12, 1954
[S. 1160]

68 Stat. 26

To authorize the Secretary of the Interior to convey certain land to the city of Tucson, Arizona, and to accept other land in exchange therefor.

Tucson, Ariz.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the city of Tucson, Arizona, a municipal corporation, all right, title, and interest of the United States in and to that tract of land situate in the county of Pima, State of Arizona, described as that portion of the northwest quarter of the northwest quarter of section 24, township 14 south of range 13 east, Gila and Salt River base and meridian, Pima County, Arizona, more particularly described as follows:

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Beginning at a point on the south line of the northwest quarter of the northwest quarter of said section 24, distant three hundred forty-five and nine-tenths feet westerly from the southeast corner of said northwest quarter of the northwest quarter; run thence westerly along said south line, a distance of one hundred forty-four and one-tenth feet to a point; run thence northerly and parallel with the east line of said northwest quarter of the northwest quarter, a distance of two hundred ninety and four-tenths feet to a point; run thence easterly and parallel with the south line of said northwest quarter of the northwest quarter, a distance of one hundred forty-three and fifty-five one-hundredths feet to a point; run thence southerly a distance of two hundred ninety and four-tenths feet, more or less, to the point of beginning;

and to accept in exchange therefor a conveyance in fee simple to the United States by the city of Tucson, Arizona, a municipal corporation, of the following described real property situate in Pima County, Arizona:

The east one hundred and ninety feet of the south two hundred ninety and four-tenths feet of the northwest quarter of the northwest quarter of section 24, township 14 south of range 13 east, Gila and Salt River base and meridian, Pima County, Arizona.

SEC. 2. The deed of the land conveyed by the Secretary of the Interior pursuant to the provisions of the first section of this Act shall contain express conditions—

(a) that the city of Tucson shall agree, upon the receipt of the deed from the Secretary of the Interior, to demolish the existing structure on such land; and

(b) that all salvage therefrom may be removed by the Papago

Council of the Papago Tribe of Indians without the council paying for the same.

Approved, March 12, 1954.

PUBLIC LAW 350 CHAPTER 181

May 6, 1954
[H. R. 8127]

AN ACT

68 Stat. 70

To amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

Federal-Aid Highway Act of 1954.
23 U. S. C. 9a note.
Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated the sum of $700,000,000 for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957.

The sum herein authorized for each fiscal year shall be available for expenditure as follows:

* * *

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National-park roads.

[SEC. 4. (a) For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads author-[ized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of $12,500,000 for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957.

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16 U. S. C. 8a–8c.

Parkways.

(b) For the construction, reconstruction, and improvement of parkways, authorized by Acts of Congress, on lands to which title is vested in the United States, there is hereby authorized to be appropriated the sum of $11,000,000 for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957.

Indian roads.

(c) For the construction, improvement, and maintenance of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957: *Provided*, That the location, type, and design of all roads and bridges constructed shall be approved by the Secretary of Commerce before any expenditures are made thereon, and all such construction shall be under the general supervision of the Secretary of Commerce.

25 U. S. C. 381a.

Federal reservations.
64 Stat. 789.

SEC. 5. For the purpose of carrying out the provisions of section 10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations the sum of $1,000,000 for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957, to remain available until expended.

Administration of funds.

SEC. 6. Any funds authorized for the fiscal year ending June 30, 1955, or herein authorized for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be immediately available for contract: *Provided*, That any amount remaining unexpended two years after the close of the fiscal year for which authorized shall lapse. The Secretary of the Department charged with the administration of such funds is hereby granted authority to incur obligations, approve proj-

ects, and enter into contracts under such authorizations and his action in doing so shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and such funds shall be deemed to have been expended when so obligated.

* * *

⊥SEC. 19. All provisions of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838); the Federal-Aid Highway Act of 1948, approved June 29, 1948 (62 Stat. 1105); and the Federal-Aid Highway Act of 1950, approved September 7, 1950 (64 Stat. 785); and the Federal-Aid Highway Act of 1952, approved June 25, 1952 (66 Stat. 158), not inconsistent with this Act, shall remain in full force and effect.

⊥76

23 U. S. C. 60–63, 21, 23c, 3a note. 16 U. S. C. 8b.

* * *

⊥SEC. 23. This Act may be cited as the "Federal-Aid Highway Act of 1954".

⊥77 Short title.

Approved, May 6, 1954.

PUBLIC LAW 375 CHAPTER 243

AN ACT

May 28, 1954 [H. R. 6186]

68 Stat. 151

To authorize the Secretary of the Interior to grant a preference right to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 15 of the Taylor Grazing Act (43 U. S. C., 1946 edition, sec. 315 (m)) is amended by adding the following proviso: "*Provided further*, That when public lands are restored from a withdrawal, the Secretary may grant an appropriate preference right for a grazing lease, license, or permit to users of the land for grazing purposes under authority of the agency which had jurisdiction over the lands immediately prior to the time of their restoration."

Grazing lands. Preference rights. 49 Stat. 1978. 43 USC 315m

SEC. 2. The first sentence of section 1 of the Act of June 28, 1934 (48 Stat. 1269), as amended by the Act of June 26, 1936 (49 Stat. 1976, 43 U. S. C., 1946 edition, sec. 315), is further amended by striking out the following language: "not exceeding in the aggregate an area of one hundred and forty-two million acres".

Approved, May 28, 1954.

PUBLIC LAW 387 CHAPTER 263

AN ACT

June 4, 1954 [H. R. 1815]

68 Stat. 173

To amend the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to purchase or lease public lands for certain purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 14, 1926 (44 Stat. 741; 43 U. S. C., sec. 869), entitled ⊥"An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes", is hereby amended to read as follows:

Public lands. ⊥174

"SECTION 1. (a) The Secretary of the Interior upon application filed by a duly qualified applicant under section 2 of this Act may, in the manner prescribed by this Act, dispose of any public lands to a State, Territory, county, municipality, or other State, Territorial, or Federal instrumentality or political subdivision for any public purposes, or to a nonprofit corporation or nonprofit association for any recreational or any public purpose consistent with its articles of incorporation or other creating authority. Before the land may be disposed of under this Act it must be shown to the satisfaction of the Secretary that the

Disposal for public or recreational purposes.

land is to be used for an established or definitely proposed project. The Secretary may classify public lands in Alaska for disposition under this Act. Lands so classified may not be appropriated under any other public land law unless the Secretary revises such classification or authorizes the disposition of an interest in the lands under other applicable law. If, within eighteen months following such classification, no application has been filed for the purpose for which the lands have been so classified, then the Secretary shall restore such lands to appropriation under the applicable public land laws.

Limitations.

"(b) No more than six hundred and forty acres may be conveyed to any one grantee in any one calendar year.

"(c) Where the lands have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior, or of a State, Territory, county, municipality, water district, or other local governmental subdivision or agency, the Secretary of the Interior may make disposals under this Act only with the consent of such Federal department or agency, or of such State, Territory, or local governmental unit. Nothing in this Act shall be construed to apply to lands in any national forest, national park, or national monument, or national wildlife refuge, or the revested Oregon and California Railroad grant lands in the State of Oregon, or the reconveyed Coos Bay Wagon Road grant lands in the State of Oregon, or to any Indian lands, or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by Executive order for the use of Indians. Nor shall any disposition be made under this Act for any use authorized under any other law, except for a use authorized under the Act of June 1, 1938 (52 Stat. 609; 43 U. S. C., sec. 682a), as amended.

Sale or lease, etc States, etc

"SEC. 2. The Secretary of the Interior may after due consideration as to the power value of the land, whether or not withdrawn therefor, (a) sell such land to the State, Territory, county, or other State, Territorial, or Federal instrumentality or political subdivision in which the lands are situated, or to a nearby municipal corporation in the same State or Territory, for the purpose for which the land has been classified, and conveyances of such land for historic-monument purposes under this subsection shall be made without monetary consideration, while conveyances for any other purpose under this subsection shall be made at a price to be fixed by the Secretary of the Interior through appraisal or otherwise, after taking into consideration the purpose for which the lands are to be used; (b) lease such land to the State, Territory, county, or other State, Territorial, or Federal instrumentality or political subdivision in which the lands are situated, or to a nearby municipal corporation in the same State or Territory, for the purpose for which the land has been classified, at a reasonable annual rental, for a period up to twenty years, and, at the discretion of the Secretary, with a privilege of renewal for a like period, (c) sell such land to a nonprofit corporation or nonprofit association, for the purpose for which the land has been classified, at a price to be fixed by the ⊥Secretary of the Interior through appraisal, after taking into consideration the purpose for which the lands are to be used, or (d) lease such land to a nonprofit corporation or nonprofit association at a reasonable annual rental, for a period up to twenty years, and, at the discretion of the Secretary, with a privilege of renewal for a like period. Each patent or lease so issued shall contain a reservation to the United States of all mineral deposits in the lands conveyed or leased and of the right to mine and remove the same, under applicable laws and regulations to be established by the Secretary. Each lease shall contain a provision for its termination upon a finding by the Secretary that the land has not been used by the lessee for the purpose specified in the lease for such period, not over five

Historic monuments

Nonprofit corporation, etc

⊥175

Reservation to U.S

years, as may be specified in the lease, or that such land or any part thereof is being devoted to another use.

"SEC. 3. Title to lands conveyed by the Government under this Act may not be transferred by the grantee or its successor except, with the consent of the Secretary of the Interior, to a transferee which would be a qualified grantee under section 2 (a) or (c) and subject to the acreage limitation contained in section 1 (b) of this Act. A grantee or its successor may not change the use specified in the conveyance to another or additional use except, with the consent of the Secretary, to a use for which such grantee or its successor could obtain a conveyance under this Act. If at any time after the lands are conveyed by the Government, the grantee or its successor attempts to transfer title to or control over these lands to another or the lands are devoted to a use other than that for which the lands were conveyed, without the consent of the Secretary, title to the lands shall revert to the United States. The provisions of this section, however, shall cease to be in effect as to any lands patented under this Act twenty-five years after the issuance of patent for such lands. Title transfer

"SEC. 4. The Secretary may authorize transfers of title or changes in use in accordance with the provisions of section 3 of this Act with respect to any patent heretofore issued under any Act upon application by a patentee qualified to obtain a conveyance under section 2 (a) or (c) of this Act. If the Secretary, pursuant to such an application, authorizes such transfer or use, all reverter provisions and other limitations on transfer or use, under this or any other Act affecting the lands involved, shall cease to be in effect twenty-five years after the Secretary authorizes the transfer or use for a changed or additional purpose under the provisions of this section. Authorization

"SEC. 5. The Act of September 30, 1890, entitled 'An Act to authorize entry of the public lands by incorporated cities and towns for cemetery and park purposes', and the Act of October 17, 1940, entitled 'An Act to authorize the Secretary of the Interior to sell or lease for park or recreational purposes, and to sell for cemetery purposes, certain public lands in Alaska', are hereby repealed." Repeals.

26 Stat. 502; 54 Stat. 1192.
43 U.S.C. 729 and note.

Approved, June 4, 1954.

PUBLIC LAW 391 CHAPTER 271

AN ACT

June 8, 1954
[H. R. 2974]
68 Stat. 240

To extend the time for enrollment of the Indians of California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of May 18, 1928 (45 Stat. 602), as amended by the Act of April 29, 1930 (46 Stat. 259), the Act of June 30, 1948 (62 Stat. 1166), and the Act of May 24, 1950 (64 Stat. 189), is hereby further amended by deleting the words "six months" in the penultimate sentence and by inserting in lieu thereof the words "until June 30, 1955." and by inserting after the third sentence "For the purposes of clause (d) of this section, when the Secretary of the Interior is satisfied that reasonable and diligent efforts have been made to locate a person whose name is on said roll and that such person cannot be located, he may presume that such person died prior to the date of approval of this Act, and his presumption shall be conclusive". California Indians

25 U. S. C. 657.

SEC. 2. That the Secretary of the Interior shall transmit to Congress on or before August 31, 1955, a full and complete report of funds used and the purposes accomplished to carry out the provisions of this Act and the Act approved May 18, 1928 (45 Stat. 602), as amended by the Act of April 29, 1930 (46 Stat. 259), the Act of June 30, 1948 (62 Stat. 1166), and the Act of May 24, 1950 (64 Stat. 189).

25 U. S. C. 651–658.

Approved, June 8, 1954.

PUBLIC LAW 399 CHAPTER 303

June 17, 1954
[H. R. 2828]

68 Stat. 250

AN ACT

To provide for a per capita distribution of Menominee tribal funds and authorize the withdrawal of the Menominee Tribe from Federal jurisdiction.

Menominee Indians

Termination of Federal supervision

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to provide for orderly termination of Federal supervision over the property and members of the Menominee Indian Tribe of Wisconsin.

SEC. 2. For the purposes of this Act—

(a) "Tribe" means the Menominee Indian Tribe of Wisconsin;

(b) "Secretary" means the Secretary of the Interior.

Enrollment.

SEC. 3. At midnight of the date of enactment of this Act the roll of the tribe maintained pursuant to the Act of June 15, 1934 (48 Stat. 965), as amended by the Act of July 14, 1939 (53 Stat. 1003), shall be closed and no child born thereafter shall be eligible for enrollment: *Provided,* That applicants for enrollment in the tribe shall have three months from the date the roll is closed in which to submit applications ⊥for enrollment: *Provided further,* That the tribe shall have three months thereafter in which to approve or disapprove any application for enrollment: *Provided further,* That any applicant whose application is not approved by the tribe within six months from the date of enactment of this Act may, within three months thereafter, file with the Secretary an appeal from the failure of the tribe to approve his application or from the disapproval of his application, as the case may be. The decision of the Secretary on such appeal shall be final and conclusive. When the Secretary has made decisions on all appeals, he shall issue and publish in the Federal Register a Proclamation of Final Closure of the roll of the tribe and the final roll of the members. Effective upon the date of such proclamation, the rights or beneficial interests of such person whose name appears on the roll shall constitute personal property and shall be evidenced by a certificate of beneficial interest which shall be issued by the tribe. Such interests shall be distributable in accordance with the laws of the State of Wisconsin. Such interests shall be alienable only in accordance with such regulations as may be adopted by the tribe.

⊥251

Publication in FR

Repeal.

SEC. 4. Section 6 of the Act of June 14, 1934 (48 Stat. 965, 966) is hereby repealed.

Per capita payments.

SEC. 5. The Secretary is authorized and directed, as soon as practicable after the passage of this Act, to pay from such funds as are deposited to the credit of the tribe in the Treasury of the United States $1,500 to each member of the tribe on the rolls of the tribe on the date of this Act. Any other person whose application for enrollment on the rolls of the tribe is subsequently approved, pursuant to the terms of section 3 hereof, shall, after enrollment, be paid a like sum of $1,500: *Provided,* That such payments shall be made first from any funds on deposit in the Treasury of the United States to the credit of the Menominee Indian Tribe drawing interest at the rate of 5 per centum, and thereafter from the Menominee judgment fund, symbol 14X7142.

Management specialists

SEC. 6. The tribe is authorized to select and retain the services of qualified management specialists, including tax consultants, for the purpose of studying industrial programs on the Menominee Reservation and making such reports or recommendations, including appraisals of Menominee tribal property, as may be desired by the tribe, and to make other studies and reports as may be deemed necessary and desirable by the tribe in connection with the termination of Federal supervision as provided for hereinafter. Such reports shall be completed not later than December 31, 1957. Such specialists are to be retained under contracts entered into between them and authorized representatives of the tribe, subject to approval by the Secretary.

Such amounts of Menominee tribal funds as may be required for this purpose shall be made available by the Secretary.

Tribal property control plan.

SEC. 7. The tribe shall formulate and submit to the Secretary a plan or plans for the future control of the tribal property and service functions now conducted by or under the supervision of the United States, including, but not limited to, services in the fields of health, education, welfare, credit, roads, and law and order. The Secretary is authorized to provide such reasonable assistance as may be requested by officials of the tribe in the formulation of the plan or plans heretofore referred to, including necessary consultations with representatives of Federal departments and agencies, officials of the State of Wisconsin and political subdivisions thereof, and members of the tribe: *Provided*, That the responsibility of the United States to furnish all such supervision and services to the tribe and to the members thereof, because of their status as Indians, shall cease on December 31, 1958, or on such earlier date as may be agreed upon by the tribe and the Secretary.

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Property title transfer.

⊥SEC. 8. The Secretary is hereby authorized and directed to transfer to the tribe, on December 31, 1958, or on such earlier date as may be agreed upon by the tribe and the Secretary, the title to all property, real and personal, held in trust by the United States for the tribe: *Provided, however*, That if the tribe obtains a charter for a corporation or otherwise organizes under the laws of a State or of the District of Columbia for the purpose, among any others, of taking title to all tribal lands and assets and enterprises owned by the tribe or held in trust by the United States for the tribe, and requests such transfer to be made to such corporation or organization, the Secretary shall make such transfer to such corporation or organization.

Income tax.

SEC. 9. No distribution of the assets made under the provisions of this Act shall be subject to any Federal or State income tax: *Provided*, That so much of any cash distribution made hereunder as consists of a share of any interest earned on funds deposited in the Treasury of the United States pursuant to the Supplemental Appropriation Act, 1952 (65 Stat. 736, 754), shall not by virtue of this Act be exempt from individual income tax in the hands of the recipients for the year in which paid. Following any distribution of assets made under the provisions of this Act, such assets and any income derived therefrom in the hands of any individual, or any corporation or organization as provided in section 8 of this Act, shall be subject to the same taxes, State and Federal, as in the case of non-Indians, except that any valuation for purposes of Federal income tax on gains or losses shall take as the basis of the particular taxpayer the value of the property on the date title is transferred by the United States pursuant to section 8 of this Act.

Publication in FR.

SEC. 10. When title to the property of the tribe has been transferred, as provided in section 8 of this Act, the Secretary shall publish in the Federal Register an appropriate proclamation of that fact. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction. Nothing in this Act shall affect the status of the members of the tribe as citizens of the United States.

Rights of minors, etc.

SEC. 11. Prior to the transfer pursuant to section 8 of this Act, the Secretary shall protect the rights of members of the tribe who are less than eighteen years of age, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs, by causing

the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

Regulations.

SEC. 12. The Secretary is authorized and directed to promulgate such rules and regulations as are necessary to effectuate the purposes of this Act.

Separability

SEC. 13. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Approved, June 17, 1954.

PUBLIC LAW 422 CHAPTER 334

AN ACT

June 21, 1954
[S. 1794]
68 Stat. 268

To reimburse the South Dakota State Hospital for the Insane for the care of Indian patients.

S. Dak. State Hospital for the Insane

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the South Dakota State Hospital for the Insane, Yankton, South Dakota, the sum of $8,124.29, in full satisfaction of its claim against the United States for compensation for services furnished Indian patients from the Rosebud and Pine Ridge Indian Agencies: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, June 21, 1954.

PUBLIC LAW 428 CHAPTER 359

AN ACT

June 24, 1954
[H. R. 8783]
68 Stat. 272

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes.

Independent Offices Appropriation Act, 1955

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, namely:

TITLE I

* * *

INDIAN CLAIMS COMMISSION

Salaries and expenses: For expenses necessary to carry out the purposes of Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $117,000, of which not to exceed $3,560 shall be available for expenses of travel.

60 Stat. 1049

* * *

Approved, June 24, 1954.

PUBLIC LAW 433 CHAPTER 405

AN ACT

June 28, 1954
[H. R. 6173]
68 Stat. 300

To provide for the use of the tribal funds of the Southern Ute Tribe of the Southern Ute Reservation, to authorize a per-capita payment out of such funds, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of existing laws, the tribal funds now on deposit or hereafter deposited in the United States Treasury to the credit of the Southern Ute Tribe of the Southern Ute Reservation, may be expended or advanced for such purposes and in a manner, including per capita payments, the purchase of land or any interests therein or improvements thereon and water rights, as may be designated by the Southern Ute Tribal Council and approved by the Secretary of the Interior: *Provided,* That the purchase of taxable lands under this authority shall not operate to remove such lands from the tax rolls: *Provided further,* That neither the transfer to the tribe of tribal funds, nor the distribution thereof to individual members of the tribe, as provided herein, from those funds consisting of compensation for lands acquired by the United States Government, shall be ⊥subject to Federal tax: *Provided further,* That any funds advanced for loans by the tribe to individual Indians or associations of Indians shall be subject to regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C., sec. 470): *And provided further,* That no part of the funds authorized to be expended or advanced by this section shall be paid or disbursed to or received by any agent or attorney on account of any contract for services rendered or to be rendered or expenses in the preparation of any suit against the United States.

Southern Ute Tribe.
Per capita payment, etc.

⊥301

48 Stat. 986.

Approved, June 28, 1954.

PUBLIC LAW 439 CHAPTER 411

AN ACT

June 29, 1954
[S. 129]
68 Stat. 321

To amend the Act of August 30, 1935 (49 Stat. 1049), authorizing the Chippewa Indians of Wisconsin to submit claims to the Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second proviso in section 3 of the Act of August 30, 1935 (49 Stat. 1049, 1050), entitled "An Act authorizing the Chippewa Indians of Wisconsin to submit claims to the Court of Claims", is hereby amended by deleting "5 per centum" and by inserting in lieu thereof "10 per centum".

Chippewa Indians.
Claims.

Approved, June 29, 1954.

PUBLIC LAW 440 CHAPTER 412

AN ACT

June 29, 1954
[S. 2742]
68 Stat. 321

To amend the Act of August 21, 1951, relating to certain payments out of Ute Indian tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first proviso in the first section of the Act entitled "An Act to provide for the use of the tribal funds of the Ute Indian Tribe of the Uintah and Ouray Reservation, to authorize a per capita payment out of such funds, to provide for the division of certain tribal funds with the Southern Utes, and for other purposes", approved August 21, 1951 (65 Stat. 193), is amended by inserting after the word "section" the words "exclusive of per capita payments from interest,".

Ute Indian Tribe.
Per capita payments.

Approved, June 29, 1954.

PUBLIC LAW 444 CHAPTER 416

AN ACT

June 29, 1954
[S. 3364]
68 Stat. 322

To amend the Act of October 31, 1949 (63 Stat. 1049).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1, of

Albuquerque, N. Mex.

Hospital.

subsection (b), of the Act of October 31, 1949 (63 Stat. 1049), is hereby amended by deleting the figure "1954", wherever the same appears in the third and fourth provisos, and by inserting in lieu thereof the figure "1957"; and by deleting the figure "1953" in the fourth proviso, and by inserting in lieu thereof the figure "1956".

Approved, June 29, 1954.

PUBLIC LAW 449 CHAPTER 421

June 29, 1954
[H. R. 6154]

AN ACT

68 Stat. 329

To authorize payment of salaries and expenses of officials of the Fort Peck Tribes.

Fort Peck Indians.
Certain salaries and expenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, or such official as may be designated by him, is hereby authorized, until otherwise directed by Congress, to advance to the tribes or to pay out of any unobligated tribal funds of the Fort Peck Indians in the Treasury of the United States salaries and expenses of tribal officials or representatives at rates and/or limitations designated in advance by the Fort Peck Tribal Executive Board, and approved by the Secretary of the Interior and to advance to the tribes or to expend tribal funds for such other purposes as may be designated by the Fort Peck Tribal Executive Board and approved by the Secretary of the Interior: *Provided,* That the length of stay of representatives serving the tribes at the seat of government shall be determined by the Secretary of the Interior.

Repeal.

SEC. 2. The Act of April 28, 1948 (62 Stat. 203), is hereby repealed.

Approved, June 29, 1954.

PUBLIC LAW 453 CHAPTER 425

June 30, 1954
[H. R. 8367]

AN ACT

68 Stat. 330

Making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes.

Civil Functions Appropriation Act, 1955.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1955, for civil functions administered by the Department of the Army and for other purposes, namely:

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[CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

* * *

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by law; detailed studies, and plans and specifications, of projects authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction); and not to exceed $1,000,000 for transfer to the Secretary of the Interior for conservation of fish and wildlife as authorized by law; to remain available until expended, $300,367,600: *Provided,* That no part of this appropriation shall be used for projects in the Columbia River Basin which are authorized by a law limiting the amount to be appropriated therefor, except as may be within the limits of the amount now or hereafter authorized to be appropriated: *Provided further,* That not to exceed $750,000 of the funds appropriated herein may at the discretion and under the direction of the Chief of Engineers be used in payment to the accounts of the Confederated Tribes of the Yakima Reservation; the Confederated Tribes of the Warm Springs Reservation; the Confederated

Columbia River Basin.

Dalles Dam, Columbia River.
Payment to Indians.

Tribes of the Umatilla Reservation; or other recognized Indian tribes, and those individual Indians not enrolled in any recognized tribe, but ⊥who through domicile at or in the immediate vicinity of the reservoir ⊥332 and through custom and usage are found to have an equitable interest in the fishery, all of whose fishing rights and interests will be impaired by the Government incident to the construction, operation, or maintenance of the Dalles Dam, Columbia River, Washington and Oregon, and must be subordinated thereto by agreement or litigation.

* * *

Approved, June 30, 1954.

PUBLIC LAW 461 CHAPTER 435

AN ACT

June 30, 1954
[H. R. 3413]
68 Stat. 358

To grant oil and gas in lands and to authorize the Secretary of the Interior to issue patents in fee on the Fort Peck Indian Reservation, Montana, to individual Indians in certain cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the oil and gas in land located within the Fort Peck Indian Reservation, Montana, allotted on or after March 3, 1927, which is now reserved to the Indians having tribal rights on such reservation by the first section of the Act of March 3, 1927 (44 Stat. 1401), relating to oil and gas in certain tribal lands within the Fort Peck Indian Reservation, Montana, is hereby granted to the allottee of such lands, or, if such Indian is deceased, to his heirs or devisees: *Provided*, That if the allottee or his heirs or devisees, relinquished such allotment and received a lieu allotment of other lands in the said reservation or transferred title to such allotment to the Fort Peck Tribe and, in exchange therefor, received an assignment of the same or other lands in the said reservation, the oil and gas hereby granted shall be only that in the land in the lieu allotment or the exchange assignment, as the case may be.

Fort Peck Indian Reservation, Mont.
Oil and gas grants.

Lieu allotments.

SEC. 2. If on or after March 3, 1927, the allottee or his heirs or devisees, relinquished an allotment made prior to March 3, 1927, and received a lieu allotment of other lands in the said reservation or transferred title to such allotment to the Fort Peck Tribe and, in exchange therefor, received an assignment of the same or other lands ⊥in the said reservation, the oil or gas in the land in such lieu ⊥359 allotment or such exchange assignment is hereby granted to the holder of the lieu allotment or the exchange assignment, as the case may be, unless the allottee or his heirs or devisees reserved the oil and gas in the lands transferred or relinquished.

SEC. 3. Title to the oil and gas granted by this Act shall be held in trust by the United States for the Indian owners, except where the entire interest in the oil and gas is granted to Indians to whom a fee patent for any land within the Fort Peck Indian Reservation has heretofore been issued, in which event the unrestricted fee simple title is hereby granted to the Indian owner, and except where the entire interest in the oil and gas is hereafter held for Indians to whom a fee patent for any land within said reservation has heretofore or hereafter been issued or who are determined by the Secretary of the Interior to be competent to manage their own affairs, in which event the unrestricted fee simple title shall be transferred to the Indian owner by the Secretary.

Titles and fee patents.

SEC. 4. If the Secretary of the Interior determines that the entire interest in land, including land held under an exchange assignment, on the Fort Peck Indian Reservation is owned by Indians who are the grantees of oil and gas under this Act and who are competent to manage their own affairs, he is authorized and directed to issue fee patents to them for such interest.

Oil and gas leases.

SEC. 5. No oil and gas lease which was entered into pursuant to the first section of the Act of March 3, 1927, which covers in whole or in part the lands referred to in sections 1 and 2 of this Act, and which is in effect on the date of enactment of this Act, shall be affected by reason of the enactment of this Act, except that any royalties and other moneys payable under such lease after such date of enactment, which are attributable to the oil and gas granted to an Indian by sections 1 or 2 of this Act shall be payable to such Indian, or if such Indian is deceased, to his heirs or devisees.

Nonapplicability

SEC. 6. This Act shall not apply to oil and gas in tribal land which, on the date of the enactment of this Act, is otherwise undisposed of.

Advance rentals, etc.

SEC. 7. Any and all moneys collected by the tribes as advance rentals, bonus, and royalties of oil and gas leases after March 3, 1927, and prior to the transfer of said oil and gas rights pursuant to this Act to said individual Indians may also be paid by authority of said executive board to the individual Indians to whom said oil and gas rights are transferred pursuant to this Act.

Effectivity.

SEC. 8. The provisions of this Act shall not be effective unless approved in a referendum by a majority of the members of the Fort Peck Tribe actually voting therein: *Provided*, That the total vote cast shall not be less than 30 per centum of those entitled to vote. This referendum shall be conducted on not less than sixty days' notice under the direction of the Secretary of the Interior or his duly authorized representative.

Approved, June 30, 1954.

PUBLIC LAW 465 CHAPTER 446

July 1, 1954
[H. R. 8680]
68 Stat. 361

AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1955, and for other purposes.

Interior Department Appropriation Act, 1955.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—DEPARTMENT OF THE INTERIOR

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1955, namely:

* * *

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⊥BUREAU OF INDIAN AFFAIRS

HEALTH, EDUCATION, AND WELFARE SERVICES

For expenses necessary to provide health, education, and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $59,547,215.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of

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⊥irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; and development of Indian arts and crafts as authorized by law; $12,881,245.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, roads and trails, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; to remain available until expended, $7,673,000: *Provided*, That, during the current fiscal year, not more than $3,800,000 of the funds available under this appropriation heading shall be available for personal services: *Provided further*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations: *Provided further*, That of the amount included herein for the construction of roads and trails, such part of the amount as determined by the Commissioner of Indian Affairs shall be available only for roads and trails which State and local governments agree to take over and maintain when the improvement is completed. Restrictions.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $2,750,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of ice for official use of employees; and expenses required by continuing or permanent treaty provisions.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a recreational director for the Menominee Reservation and a curator for the Osage Museum, each of whom shall be appointed with the approval of the respective tribal councils and without regard to the ⊥classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water 18 U. S. C. 4124. ⊥365 Restriction.

rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation.

* * *

Approved, July 1, 1954.

PUBLIC LAW 478 CHAPTER 463

July 6, 1954
[H. R. 2231]
68 Stat. 452

AN ACT

To authorize the negotiation and ratification of separate settlement contracts with the Sioux Indians of the Lower Brule and the Crow Creek Reservations in South Dakota for Indian lands and rights acquired by the United States for the Fort Randall Dam and Reservoir, Missouri River Development, to authorize a transfer of funds from the Secretary of Defense to the Secretary of the Interior and to authorize an appropriation for the removal from the taking area of the Fort Randall Dam and Reservoir, Missouri River Development, and the reestablishment of the Indians of the Yankton Indian Reservation in South Dakota.

Sioux Indians.
Settlement contracts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chief of Engineers, Department of the Army, and the Secretary of the Interior, jointly representing the United States of America are hereby authorized and directed to negotiate separate contracts containing the provisions outlined in this Act with the Sioux Indians of the Lower Brule Reservation, South Dakota, and with the Sioux Indians of the Crow Creek Reservation, South Dakota, acting through representatives of each tribe appointed for such purpose by its tribal council.

Contract provisions.

SEC. 2. The contract with each tribe negotiated pursuant to section 1 of this Act shall—

(a) convey to the United States title to all tribal, allotted, assigned, and inherited lands or interests therein belonging to the Indians of the tribe, and title to all undivided interests in such allotted or inherited lands owned by non-Indians or by Indian nonmembers of the tribe, required by the United States for the reservoir to be created by the construction of the dams across the Missouri River in South Dakota, to be known as Fort Randall Dam, including such lands along the margins as may be required by the Chief of Engineers, Department of the Army, for the protection, development, and use of said reservoir: *Provided,* That the contract may provide for retention by the owners of any oil and gas rights in such lands that are not needed by the United States for the protection of such dam and reservoir;

Oil and gas rights.

(b) provide for the payment of—

(1) just compensation for the lands and improvements and interests therein conveyed by the contract;

(2) costs of relocating the tribe and its members who reside upon the lands conveyed by the contract in a manner that will reestablish and protect their economic, social, religious, and community life;

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⊥(3) costs of relocating Indian cemeteries, tribal monuments, and shrines located upon the lands conveyed by the contract.

(c) Provide a schedule of dates for the orderly removal of the Indians and their personal property from the taking area of the Fort Randall Reservoir within the reservation; and

(d) State that the payments authorized to be made shall be in full and complete settlement of all claims by the tribe and its members against the United States arising because of the construction of the Fort Randall project.

Judicial determination.

SEC. 3. The just compensation payable for the individual property of any person conveyed pursuant to subsection (a) of section 2 of this Act shall be judicially determined, if such person rejects the compensation specified in the contract with the tribe, in proceedings instituted for such purpose by the Department of the Army in the United States district court for the district in which the lands are situated.

Appraisal schedule.

SEC. 4. To assist the negotiators in arriving at the amount of just compensation payable for the property conveyed pursuant to subsection (a) of section 2 of this Act, the Secretary of the Interior and the Chief of Engineers, Department of the Army, shall cause to be prepared an appraisal schedule on an individual tract basis of the tribal, allotted, and assigned lands, including heirship interests therein, located within the taking area in each reservation. The appraisal schedule shall show the fair market value of the lands, giving full and proper weight to the following elements of appraisal, among others: Improvements, severance damage, standing timber, mineral rights, and the uses to which the lands are reasonably adapted. The appraisal schedule shall be transmitted to the representatives of the tribe appointed to negotiate a contract, and shall be used, together with any other appraisals which may be available, as a basis for determining the amount of just compensation to be included in the contract.

SEC. 5. The specification in section 2 of this Act of certain provisions to be included in each contract shall not preclude the inclusion of other provisions beneficial to the Indians who are parties of such contracts.

Approval of Congress.

SEC. 6. Each contract negotiated pursuant to this Act shall be submitted to the Congress for approval. The Chief of Engineers, Department of the Army, and the Secretary of the Interior are requested to submit such contract within one year from the date of approval of this Act. If the negotiating parties are unable to agree on a proposed contract each party shall submit to the Congress separate detailed reports of the negotiations, together with their recommendations. In the event the negotiating parties are unable to agree on any provision in the proposed contracts such provision shall be included in an appendix to the contract, together with the views of each party, for consideration and determination by Congress. The contract shall not take effect unless, after determination of any disputed provision, it is ratified by Act of Congress and is ratified within six months after such action by the Congress by a majority of the adult members of the tribe: *Provided,* That when so ratified the contract shall constitute a taking by the United States as of the date the contract was signed by the Chief of Engineers, Department of the Army, and the Secretary of the Interior, for purposes of determining the ownership of the Indian tribal, allotted, and assigned lands and interests therein.

Reports.

Fort Randall Dam.

SEC. 7. Nothing in this Act shall be construed to restrict completion of the Fort Randall Dam to provide flood protection and other benefits on the Missouri River.

Appropriation.
Relocation of Yankton Sioux Tribe.

SEC. 8. There is hereby authorized to be appropriated to the Secretary of the Interior the sum of $106,500, which shall be available until ⊥expended for the purpose of relocating the members of the Yankton Sioux Tribe, South Dakota, who reside or have resided, on tribal and allotted lands acquired by the United States for the Fort Randall Dam and Reservoir project, Missouri River Development, in a manner that will reestablish and protect their economic, social, religious, and community life. Title to any lands acquired within Indian country pursuant to this section shall be taken in the name of the United States in trust for the Yankton Sioux Tribe or members thereof. The said sum of $106,500 shall be assessed against the costs of the Fort Randall Dam and Reservoir, Missouri River Development.

Approved, July 6, 1954.

PUBLIC LAW 480 CHAPTER 469

AN ACT

July 10, 1954
[S. 2475]

68 Stat. 454

To increase the consumption of United States agricultural commodities in foreign countries, to improve the foreign relations of the United States, and for other purposes.

Agricultural Trade Development and Assistance Act of 1954.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Trade Development and Assistance Act of 1954".

* * *

1458

⊥TITLE III—GENERAL PROVISIONS

* * *

7 USC 1431.

SEC. 302. Section 416 of the Agricultural Act of 1949 is amended to read as follows:

Perishable commodities. Disposal

"SEC. 416. In order to prevent the waste of commodities acquired through price-support operations by the Commodity Credit Corporation before they can be disposed of in normal domestic channels without impairment of the price-support program or sold abroad at competitive world prices, the Commodity Credit Corporation is authorized, on such terms and under such regulations as the Secretary may deem in the public interest: (1) upon application, to make such commodities available to any Federal agency for use in making payment for commodities not produced in the United States; (2) to barter or exchange such commodities for strategic or other materials as authorized by law; (3) in the case of food commodities to donate such commodities to the Bureau of Indian Affairs and to such State, Federal, or private agency or agencies as may be designated by the proper State or Federal authority and approved by the Secretary, for use in the United States in nonprofit school-lunch programs, in the assistance of needy persons, and in charitable institutions, including hospitals, to the extent that needy persons are served; and (4) to donate any such food commodities in excess of anticipated disposition under (1), (2), and (3) above to nonprofit voluntary agencies registered with the Committee on Voluntary Foreign Aid of the Foreign Operations Administration or other appropriate department or agency of the Federal ⊥Government and intergovernmental organizations for use in the assistance of needy persons outside the United States. In the case of (3) and (4) above the Secretary shall obtain such assurance as he deems necessary that the recipients thereof will not diminish their normal expenditures for food by reason of such donation. In order to facilitate the appropriate disposal of such commodities, the Secretary may from time to time estimate and announce the quantity of such commodities which he anticipates will become available for distribution under (3) and (4) above. The Commodity Credit Corporation may pay, with respect to commodities disposed of under this section, reprocessing, packaging, transporting, handling, and other charges accruing up to the time of their delivery to a Federal agency or to the designated State or private agency, in the case of commodities made available for use within the United States, or their delivery free alongside ship or free on board export carrier at point of export, in the case of commodities made available for use outside the United States. For the purpose of this section the terms 'State' and 'United States' include the District of Columbia and any Territory or possession of the United States."

1459

Reprocessing etc. charges

* * *

Approved, July 10, 1954.

PUBLIC LAW 483 CHAPTER 472

AN ACT

July 14, 1954 [S. 2488]

68 Stat. 467

To provide that each grant of exchange assignment on tribal lands on the Cheyenne River Sioux Reservation and the Standing Rock Sioux Reservation shall have the same force and effect as a trust patent, and for other purposes.

Sioux Indians. Exchange grants.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the date of the approval of this Act, each grant of exchange assign-

ment of tribal lands on the Cheyenne River Sioux Reservation and the Standing Rock Sioux Reservation shall have the same force and effect, and shall confer the same rights, including all timber, mineral, and water rights now vested in or held by the Cheyenne River Sioux Tribe or the Standing Rock Sioux Tribe, upon the holder or holders thereof, that are conveyed by a trust patent issued pursuant to section 5 of the Act of February 8, 1887 (24 Stat. 388), as amended and supplemented, except that the period of trust and tax exemption shall continue until otherwise directed by Congress.

25 U. S. C. 348.

⊥SEC. 2. The Cheyenne River Sioux Tribe and the Standing Rock Sioux Tribe are authorized to pay to each holder of an exchange assignment of tribal lands all moneys collected by the tribe for the lease or use of subsurface rights in such lands.

⊥468
Subsurface rights.

SEC. 3. The Secretary of the Interior is authorized to prescribe such regulations as may be necessary to carry out the provisions of this Act.

Regulations.

Approved, July 14, 1954.

PUBLIC LAW 533 CHAPTER 578

AN ACT

July 27, 1954
[H. R. 7466]

To authorize the Secretary of the Interior to execute an amendatory repayment contract with the Pine River Irrigation District, Colorado, and for other purposes.

68 Stat. 534

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asembled, That the reimbursable construction cost of the Pine River reclamation project, Colorado, is hereby fixed at $1,500,000, and the Secretary of the Interior is authorized to execute, on behalf of the United States, the amendatory repayment contract negotiated pursuant to section 7 of the Reclamation Project Act of 1939 (53 Stat. 1187, 1192) and approved at an election of the district held November 30, 1953, under which contract the unpaid balance of five-sixths of the reimbursable construction cost of the River project (the remaining one-sixth being properly chargeable to the lands of the Pine River Indian (Southern Ute) project as set out in a memorandum of understanding between the Bureau of Reclamation and the Bureau of Indian Affairs dated January 3, 1940) is repayable by the district in thirty fixed annual installments or, if the district elects to use a variable payment formula as set forth in said contract, in as many installments as may be required to return the portion of the aforesaid balance then remaining unpaid.

Pine River Irrigation District, Colo.
Repayment contract.

43 U. S. C. 485f.

Approved, July 27, 1954.

PUBLIC LAW 540 CHAPTER 585

AN ACT

July 27, 1954
[H. R. 4854]

To authorize the Secretary of the Interior to construct, operate, and maintain the irrigation works comprising the Foster Creek division of the Chief Joseph Dam project, Washington.

68 Stat. 568

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as an initial step in supplementing the Act of July 17, 1952 (Public Law 577, Eighty-second Congress), and in order to provide water for the irrigation of approximately six thousand acres of land along the Columbia and Okanogan Rivers in the vicinity of Chief Joseph Dam, Washington, the Secretary of the Interior is authorized to construct, operate, and maintain the Foster Creek division of the Chief Joseph Dam project substantially in accordance with the report of the Secretary of the Interior dated January 7, 1954, and printed as House Document Numbered 374, Eighty-third Congress.

Chief Joseph Dam project, Wash.
Foster Creek division construction, etc.
66 Stat. 753.

⊥SEC. 2. In the construction, operation and maintenance of the Foster Creek division, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts

⊥569

43 U. S. C. 371 note.

43 U. S. C. 485h.

amendatory thereof or supplementary thereto) except that (a) the period provided in subsection (d), section 9, of the Reclamation Project Act of 1939 (53 Stat. 1187), for repayment of construction costs properly chargeable to any block of lands and assigned to be repaid by the irrigators may be extended to fifty years, exclusive of a development period, from the time water is first delivered to that block or to as near that number of years as is consistent with the adoption and operation of a variable payment formula as hereinafter provided; (b) any repayment contract entered into may provide that the amounts to be paid annually thereunder shall be determined in accordance with a formula, mutually agreeable to the parties, which reflects economic conditions pertinent to the irrigators' payment capacity; and (c) all construction costs which are beyond the ability of the irrigators to repay as hereinbefore provided shall be charged to, and returnable to the reclamation fund from, net revenues derived from the sale of power from the Chief Joseph Dam project which are over and beyond those required to amortize the power investment in said project and to return interest on the unamortized balance thereof. Power and energy required for irrigation pumping for the Foster Creek division authorized shall be made available by the Secretary from the Chief Joseph Dam powerplant and other Federal plants interconnected therewith at rates not to exceed the cost of such power and energy from the Chief Joseph Dam taking into account all costs of the dam, reservoir, and powerplant which are determined by the Secretary under the provisions of the Federal reclamation laws to be properly allocable to such irrigation pumping power and energy.

Reports to Congress

SEC. 3. Reports on additional reclamation units in the vicinity of the Chief Joseph Dam project proposed to be constructed as units of the project shall be submitted by the Secretary from time to time in accordance with the provisions of the Act of July 17, 1952, supra.

Appropriation

SEC. 4. There are hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, $4,798,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in the cost of said type of construction without endangering the economic feasibility of the Foster Creek division of the Chief Joseph Dam project, Washington.

Approved, July 27, 1954.

PUBLIC LAW 552 CHAPTER 617

July 29, 1954
[H. R. 130]

68 Stat. 580

AN ACT

To amend the Act approved June 27, 1947 (61 Stat. 189).

Navajo Indian Reservation, N. Mex.
Helium-bearing land rights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act approved June 27, 1947 (61 Stat. 189), entitled "An Act authorizing certain agreements with respect to rights in helium-bearing gas lands in the Navajo Indian Reservation, New Mexico, and for other purposes", be and the same is hereby amended to read as follows:

[581
Agreement.

[581"That the Secretary of the Interior, acting through the Bureau of Mines, and the Navajo Tribe of Indians are authorized to enter into an agreement dated December 1, 1945, entitled 'An agreement severing certain formations from oil and gas leases and substituting new leases as to those formations' and an 'Amending agreement', affecting lands in the Navajo Indian Reservation, New Mexico, copies of which are published in House of Representatives Document Numbered 212, Eightieth Congress, first session; and said agreements are ratified and approved. If said Navajo Tribe of Indians shall, after investigation, deem the total consideration payable to it by the United States pursuant to such agreement dated December 1, 1945, as amended, to be in any respect less than reasonable, fair, just, and equitable, said tribe shall be entitled within three years after the date of enactment of this Act to institute suit against the United States in the Court of

Suit for recovery of additional sum.

Claims for the recovery of such additional sum, if any, as may be necessary to compensate said tribe for the reasonable, fair, just, and equitable value of all right, interest, and property passing from said tribe to the United States under such agreement, as amended. Jurisdiction is hereby conferred upon the Court of Claims to hear and determine any suit so instituted and to enter final judgment against the United States therein for such sum, if any, in excess of the total consideration payable pursuant to such agreement, as amended, as such court may determine to be necessary to provide consideration in all respects reasonable, fair, just, and equitable: *Provided*, That interest shall be allowed on such sum at the rate of 4 per centum per annum from October 20, 1947, to the date of payment and no offsets shall be deducted by the court from any sum determined by the court to be a reasonable, fair, just, and equitable consideration for the right, interest, and property passing to the United States under and pursuant to said agreement of December 1, 1945, as amended, and the interest thereon: *Provided further*, That the foregoing provision relating to interest and offsets shall not extend to any other claim or claims asserted in any such suit, whether or not the same arise out of the subject matter of said agreement, but such other claim or claims, if any, shall be governed by the law relating to actions brought pursuant to title 28, United States Code, section 1505. Appellate review of any judgment so entered shall be in the same manner, and subject to the same limitations, as in the case of claims over which the Court of Claims has jurisdiction under section 1491 of title 28, United States Code. Notwithstanding any contract to the contrary, not more than 10 per centum of the amount received or recovered by said tribe in satisfaction of any claim asserted under this section shall be paid to or received by any agent or attorney on account of services rendered in connection with such claim."

Jurisdiction.

Interest.

63 Stat. 102.

62 Stat. 940.

SEC. 2. Said Act approved June 27, 1947 (61 Stat. 189), is hereby further amended by adding at the end thereof a new section to be designated section 3 and to read as follows:

"SEC. 3. Jurisdiction is hereby conferred on the Court of Claims to determine, notwithstanding any statute of limitations or laches, in any suit instituted pursuant to section 1 of this Act, (1) whether the assignment dated December 1, 1942, accepted and approved December 17, 1942, of oil and gas lease 149-ind-5337, covering the lands denominated '1942 lands' in section 4 of said agreement dated December 1, 1945, as amended, should in law or in equity, taking into consideration such fiduciary relationship as may exist between the United States and the Navajo Tribe, have been accepted by the United States for the account of the Navajo Tribe instead of for its own account, and, if such assignment should have been so accepted, whether the property interest or any part thereof covered by such assignment ⊥was taken by the United States from the said tribe at any time prior to the effective date of said agreement; (2) whether, and in what amount, if any, the Navajo Tribe is entitled on the basis of such determination to compensation for the acquisition or taking, by the United States, of the property interest or any part thereof covered by such assignment; and (3) whether, and in what amount, if any, the United States is entitled to credit against such compensation for rentals on such lease or for other expenditures, borne by the United States, for the benefit of such lease prior to any such acquisition or taking by the United States; and to enter judgment in accordance with such determinations. No offsets shall be deducted by the court from any net sum, and the interest thereon, if any, that the court awards under this section. The provisions of the last two sentences of section 1 of this Act shall be applicable to any judgment entered pursuant to this section."

Court of Claims, Jurisdiction.

1582

Approved, July 29, 1954.

August 2, 1954
[H. R. 7839]
68 Stat. 590

PUBLIC LAW 560 CHAPTER 649

AN ACT

To aid in the provision and improvement of housing, the elimination and prevention of slums, and the conservation and development of urban communities.

Housing Act of 1954

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing Act of 1954".

* * *

1642 TITLE VIII—MISCELLANEOUS PROVISIONS

* * *

1645 San Diego, Calif. Transfer of certain housing to Indians.

"SEC. 613. Upon a certification by the Secretary of the Interior that any surplus housing, classified by the Administrator as demountable, in the area of San Diego, California, is needed to provide dwelling accommodations for members of a tribe of Indians in Riverside County or San Diego County or Imperial County, California, the Administrator is hereby authorized, notwithstanding any other provision of law, to transfer and convey such housing without consideration to such tribe, the members thereof, or the Secretary of the Interior in trust therefor, as the Secretary may prescribe: *Provided,* That the term housing as used in this section shall not include land."

* * *

Approved, August 2, 1954.

August 5, 1954
[H. R. 303]
68 Stat. 674

PUBLIC LAW 568 CHAPTER 658

AN ACT

To transfer the maintenance and operation of hospital and health facilities for Indians to the Public Health Service, and for other purposes.

Indian hospitals. Transfer to Public Health Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all functions, responsibilities, authorities, and duties of the Department of the Interior, the Bureau of Indian Affairs, Secretary of the Interior, and the Commissioner of Indian Affairs relating to the maintenance and operation of hospital and health facilities for Indians, and the conservation of the health of Indians, are hereby transferred to, and shall be administered by, the Surgeon General of the United States Public Health Service, under the supervision and direction of the Secretary of Health, Education, and Welfare: *Provided,* That hospitals now in operation for a specific tribe or tribes of Indians shall not be closed prior to July 1, 1956, without the consent of the governing body of the tribe or its organized council.

Restriction.

HEW transfer to state or private institutions.

SEC. 2. Whenever the health needs of the Indians can be better met thereby, the Secretary of Health, Education, and Welfare is authorized in his discretion to enter into contracts with any State, Territory, or political subdivision thereof, or any private nonprofit corporation, agency or institution providing for the transfer by the United States Public Health Service of Indian hospitals or health facilities, including initial operating equipment and supplies.

Condition.

Restriction.

It shall be a condition of such transfer that all facilities transferred shall be available to meet the health needs of the Indians and that such health needs shall be given priority over those of the non-Indian population. No hospital or health facility that has been constructed or maintained for a specific tribe of Indians, or for a specific group of tribes, shall be transferred by the Secretary of Health, Education, and Welfare to a non-Indian entity or organization under this Act unless such action has been approved by the governing body of the tribe, or by the governing bodies of a majority of the tribes, for which such hospital or health facility has been constructed or maintained: *Provided,* That if, following such transfer by the United States Public Health Service, the Secretary of Health, Education, and Welfare finds

Failure to meet requirements.

the hospital or health facility transferred under this section is not thereafter serving the need of the Indians, the Secretary of Health, Education, and Welfare shall notify those charged with management thereof, setting forth needed improvements, and in the event such improvements are not made within a time to be specified, shall immediately assume management and operation of such hospital or health facility.

HEW regulations.

SEC. 3. The Secretary of Health, Education, and Welfare is also authorized to make such other regulations as he deems desirable to carry out the provisions of this Act.

Personnel, etc.

SEC. 4. The personnel, property, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available), which the Director of the Bureau of the Budget shall determine to relate primarily to the functions transferred to the ⊥Public Health Service of the Department of Health, Education, and Welfare hereunder, are transferred for use in the administration of the functions so transferred. Any of the personnel transferred pursuant to this Act which the transferee agency shall find to be in excess of the personnel necessary for the administration of the functions transferred to such agency shall be retransferred under existing law to other positions in the Government or separated from the service.

⊥675

25 U. S. C. 444–449. Repeals.

SEC. 5. The Act of April 3, 1952 (66 Stat. 35), and all other laws or parts of laws in conflict herewith, are hereby repealed.

Effective date.

SEC. 6. This Act shall take effect July 1, 1955.

Approved, August 5, 1954.

PUBLIC LAW 587 CHAPTER 732

August 13, 1954
[S. 2745]
68 Stat. 718

AN ACT

To provide for the termination of Federal supervision over the property of the Klamath Tribe of Indians located in the State of Oregon and the individual members thereof, and for other purposes.

Klamath Indians.
Termination of Federal supervision.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to provide for the termination of Federal supervision over the trust and restricted property of the Klamath Tribe of Indians consisting of the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians, and of the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of said Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

Definitions.

SEC. 2. For the purposes of this Act:

(a) "Tribe" means the Klamath Tribe of Indians consisting of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians.

(b) "Secretary" means Secretary of the Interior.

(c) "Lands" means real property, interests therein, or improvements thereon, and include water rights.

(d) "Tribal property" means any real or personal property, including water rights, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

(e) "Adult" means a member of the tribe who has attained the age of twenty-one years.

Tribal roll.

SEC. 3. At midnight of the date of enactment of this Act the roll of the tribe shall be closed and no child born thereafter shall be eligible for enrollment: *Provided,* That the tribe shall have a period of six months from the date of this Act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this Act, which shall be published in the Federal Register. If

Publication in FR.

the tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within ninety days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this Act.

Appeals

Final roll
Publication in FR.

Personal property rights.

SEC. 4. Upon publication in the Federal Register of the final roll as provided in section 3 of this Act, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 6 of this Act without the approval of the Secretary. Any contract made in violation of this section shall be null and void.

Management specialists.
Duties.

SEC. 5. (a) The Secretary is authorized and directed to select and retain by contract, at the earliest practicable time after the enactment of this Act and after consultation with the tribe at a general meeting called for that purpose, the services of qualified management specialists who shall—

25 USC 1719

(1) cause an appraisal to be made, within not more than twelve months after their employment, or as soon thereafter as practicable, of all tribal property showing its fair market value by practicable logging or other appropriate economic units;

(2) give each adult member of the tribe, immediately after the appraisal of the tribal property, an opportunity to elect for himself, and, in the case of a head of a family, for the members of the family who are minors, to withdraw from the tribe and have his interest in tribal property converted into money and paid to him, or to remain in the tribe and participate in the tribal management plan to be prepared pursuant to paragraph (5) of this subsection;

(3) determine and select the portion of the tribal property which if sold at the appraised value would provide sufficient funds to pay the members who elect to have their interests converted into money, arrange for the sale of such property, and distribute the proceeds of sale among the members entitled thereto: *Provided,* That whenever funds have accumulated in the amount of $200,000 or more, such funds shall be distributed pro rata to the members who elected to take distribution of their individual shares, and thereafter similar pro rata distribution shall be made whenever funds have accumulated in the amount of $200,000 or more until all of the property set aside for sale shall have been sold and the proceeds distributed: *Provided further,* That any such member shall have the right to purchase any part of such property for not less than the highest offer received by competitive bid, and to apply toward the purchase price all or any part of the sum due him from the conversion of his interest in tribal property: *Provided further,* That when determining and selecting the portion of the tribal property to be sold, due consideration shall be given to the use of such property for grazing purposes by the members of both groups of the tribe;

(4) cause such studies and reports to be made as may be deemed necessary or desirable by the tribe or by the Secretary in connection with the termination of Federal supervision as provided for in this Act; and

(5) cause a plan to be prepared in form and content satisfactory to the tribe and to the Secretary for the management of tribal property through a trustee, corporation, or other legal entity.

Expenditures authorized.

(b) Such amounts of Klamath tribal funds as may be required for the purposes of this section shall be available for expenditure by the Secretary: *Provided*, That the expenses incident to the sale of property and the distribution of proceeds of sale pursuant to paragraph (3) of this subsection shall be charged exclusively to the interests of the members who withdraw from the tribe, and the expenses incurred under paragraphs (4) and (5) of this subsection shall be charged exclusively to the interests of the members who remain in the tribe, and all other expenses under this section shall be charged to the interests of both groups of members.

Tribal property. Transfer procedure.

SEC. 6. (a) The Secretary is authorized and directed to execute any conveyancing instrument that is necessary or appropriate to convey title to tribal property to be sold in accordance with the provisions of paragraph (3) of subsection (a) of section 5 of this Act, and to transfer title to all other tribal property to a trustee, corporation, or other legal entity in accordance with the plan prepared pursuant to paragraph (5) of subsection (a) of section 5 of this Act.

Completion date.

(b) It is the intention of the Congress that all of the actions required by sections 5 and 6 of this Act shall be completed at the earliest practicable time and in no event later than four years from the date of this Act.

⊥720

Non-members of tribe. Claims.

⊥(c) Members of the tribe who receive the money value of their interests in tribal property shall thereupon cease to be members of the tribe: *Provided*, That nothing shall prevent them from sharing in the proceeds of tribal claims against the United States.

Per capita payments.

SEC. 7. The Secretary is authorized and directed, as soon as practicable after the passage of this Act, to pay from such funds as are deposited to the credit of the tribe in the Treasury of the United States, $250 to each member of the tribe on the rolls of the tribe on the date of this Act. Any other person whose application for enrollment on the rolls of the tribe is subsequently approved, pursuant to the terms of section 3 hereof, shall, after enrollment, be paid a like sum of $250: *Provided*, That such payments shall be made first from the capital reserve fund created by the Act of August 28, 1937 (25 U. S. C., Sec. 530).

50 Stat. 872.

Property of individuals.

SEC. 8. (a) The Secretary is authorized and directed to transfer within four years from the date of this Act to each member of the tribe unrestricted control of funds or other personal property held in trust for such member by the United States.

Sales restrictions, etc. Removal.

(b) All restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor) are hereby removed four years after the date of this Act, and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any valid encumbrances: *Provided*, That the provisions of this subsection shall not apply to subsurface rights in such lands, and the Secretary is directed to transfer such subsurface rights to one or more trustees designated by him for management for a period not less than ten years. The titles to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance four years or more after the date of this Act shall vest in such members in fee simple, subject to any valid encumbrance.

Subsurface rights.

Land owned by more than one.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of a tribe, the Secretary may—

Partition.

(1) upon request of any of the owners, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted four years from the date of this Act;

Sale

(2) upon request of any of the owners, and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof and distribute the proceeds of sale to the owners: *Provided*, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

Election to purchase

Unlocated owners
Deposit of proceeds.

(3) if the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

Approval of tribal exchanges, etc.

(d) The Secretary is hereby authorized to approve—

(1) the exchange of trust or restricted land between the tribe and any of its members;

(2) the sale by the tribe of tribal property to individual members of the tribe; and

(3) the exchange of tribal property for real property in fee status. Title to all real property included in any sale or exchange as provided in this subsection shall be conveyed in fee simple.

Deceased members.
25 U. S. C. 373.

SEC. 9. (a) The Act of June 25, 1910 (36 Stat. 855), the Act of February 14, 1913 (37 Stat. 678), and other Acts amendatory thereto shall not apply to the probate of the trust and restricted property of ⊥the members of the tribe who die six months or more after the date of this Act.

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Probate of wills, etc.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribe who die six months or more after the date of this Act.

Repeal
25 U. S. C. 555.

(c) Section 5 of the Act of June 1, 1938 (52 Stat. 605), is hereby repealed.

Federal property disposal.

SEC. 10. The Secretary is authorized, in his discretion, to transfer to the tribe or any member or group of members thereof any federally owned property acquired, withdrawn, or used for the administration of the affairs of the tribe which he deems necessary for Indian use, or to transfer to a public or nonprofit body any such property which he deems necessary for public use and from which members of the tribe will derive benefit.

Taxes.

SEC. 11. No property distributed under the provisions of this Act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this Act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That, for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation or other legal entity.

Repeals
25 U. S. C. 531–535.
25 U. S. C. 542(a).

SEC. 12. Sections 2, 3, 4, 5, and 6 of the Act of August 28, 1937 (50 Stat. 872, 873), and section 2 (a) of the Act of August 7, 1939 (53 Stat. 1253), are repealed effective on the date of the transfer of title to tribal property to a trustee, corporation, or other legal entity pursuant to section 6 of this Act. All loans made from the reimbursable loan fund established by section 2 of the Act of August 28, 1937 (50 Stat. 872), and all other loans made from Klamath tribal funds, including loans of livestock made by the tribe repayable in kind, shall be transferred to the tribe for collection in accordance with the terms thereof.

Loan transfer.
25 U. S. C. 531.

Klamath Reservation irrigation works.
38 Stat. 687.

SEC. 13. (a) That part of section 5 of the Act of August 13, 1914 (35 Stat. 687; 43 U. S. C. 499), which relates to the transfer of the care, operation, and maintenance of reclamation works to water users associations or irrigation districts shall be applicable to the irrigation works on the Klamath Reservation.

(b) Effective on the first day of the calendar year beginning after the date of the proclamation provided for in section 18 of this Act, the deferment of the assessment and collection of construction costs provided for in the first proviso of the Act of July 1, 1932 (47 Stat. 564; 25 U. S. C. 386a), shall terminate with respect to any lands within irrigation projects on the Klamath Reservation. The Secretary shall cause the first lien against such lands created by the Act of March 7, 1928 (45 Stat. 200, 210), to be filed of record in the appropriate county office.

Klamath Reservation irrigation projects.
Construction costs, etc.

(c) There is hereby authorized to be appropriated out of any funds in the Treasury not otherwise appropriated the sum of $89,212 for payment to the Klamath Tribe with interest at 4 per centum annually as reimbursement for tribal funds used for irrigation construction operation and maintenance benefiting nontribal lands on the Klamath Reservation, such interest being computed from the dates of disbursement of such funds from the United States Treasury.

Reimbursement.

(d) The Secretary is authorized to adjust, eliminate, or cancel all or any part of reimbursable irrigation operation and maintenance costs and reimbursable irrigation construction costs chargeable against Indian owned lands that are subject to the provisions of this Act, ⊥and all or any part of assessments heretofore or hereafter imposed on account of such costs, when he determines that the collection thereof would be inequitable or would result in undue hardship on the Indian owner of the land, or that the administrative costs of collection would probably equal or exceed the amount collected.

⊥722

(e) Nothing contained in any other section of this Act shall affect in any way the laws applicable to irrigation projects on the Klamath Reservation.

SEC. 14. (a) Nothing in this Act shall abrogate any water rights of the tribe and its members, and the laws of the State of Oregon with respect to the abandonment of water rights by nonuse shall not apply to the tribe and its members until fifteen years after the date of the proclamation issued pursuant to section 18 of this Act.

Water rights.

(b) Nothing in this Act shall abrogate any fishing rights or privileges of the tribe or the members thereof enjoyed under Federal treaty.

Fishing rights.

SEC. 15. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this Act, the Secretary shall protect the rights of members of the tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs, by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

Guardians for minors, etc.

SEC. 16. Pending the completion of the property dispositions provided for in this Act, the funds now on deposit, or hereafter deposited, in the United States Treasury to the credit of the tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary.

Advances.

SEC. 17. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this Act, or to establish a marketable and recordable title to any property disposed of pursuant to this Act.

Patents, deeds, etc.

SEC. 18. (a) Upon removal of Federal restrictions on the property of the tribe and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians and, except as otherwise

Federal trust termination.
Publication in FR.

provided in this Act, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

Citizenship status.

(b) Nothing in this Act shall affect the status of the members of the tribe as citizens of the United States.

Termination of powers.

SEC. 19. Effective on the date of the proclamation provided for in section 18 of this Act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this Act are hereby terminated. Such ⊥termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this Act without the participation of the Secretary or other officer of the United States.

⊥723

Individual indebtedness.
Use of payment.

SEC. 20. The Secretary is authorized to set off against any indebtedness payable to the tribe or to the United States by an individual member of the tribe or payable to the United States by the tribe, any funds payable to such individual or tribe under this Act and to deposit the amounts set off to the credit of the tribe or the United States as the case may be.

SEC. 21. Nothing contained in this Act shall deprive the tribe or its constituent parts of any right, privilege, or benefit granted by the Act of August 13, 1946 (60 Stat, 1049).

25 U. S. C. 70–70v.

Valid lease, permit, etc.
Transfer of powers, etc.

SEC. 22. Nothing in this Act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency and may transfer such functions, in whole or in part to a State agency with the consent of such agency and the other party or parties to such instrument.

Rules and regulations.

SEC. 23. The Secretary is authorized to issue rules or regulations necessary to effectuate the purposes of this Act, and may in his discretion provide for tribal referenda on matters pertaining to management or disposition of tribal assets.

Repeals.

SEC. 24. All Acts or parts of Acts inconsistent with this Act are hereby repealed insofar as they affect the tribe or its members. Effective on the first day of the fiscal year beginning after the date of the proclamation provided for in section 18 of this Act, section 2 of the Act of August 19, 1949 (63 Stat. 621, ch. 468) shall become inapplicable to the unrecouped balance of funds expended in cooperation with the school board of Klamath County, Oregon, pursuant to said Act.

Klamath County, Ore., school board.

Separability.

SEC. 25. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Education, etc.

SEC. 26. Prior to the issuance of a proclamation in accordance with the provisions of section 18 of this Act, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the

Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

Approved, August 13, 1954.

PUBLIC LAW 588 CHAPTER 733

August 13, 1954
[S. 2746]
68 Stat. 724

AN ACT

To provide for the termination of Federal supervision over the property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to provide for the termination of Federal supervision over the trust and restricted property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of such Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

Oregon Indians.
Termination of Federal supervision.

SEC. 2. For the purposes of this Act:

Definitions.

(a) "Tribe" means any of the tribes, bands, groups, or communities of Indians located west of the Cascade Mountains in Oregon, including the following: Confederated Tribes of the Grand Ronde Community, Confederated Tribes of Siletz Indians, Alsea, Applegate Creek, Calapooya, Chaftan, Chempho, Chetco, Chetlessington, Chinook, Clackamas, Clatskanie, Clatsop, Clowwewalla, Coos, Cow Creek, Euchees, Galic Creek, Grave, Joshua, Karok, Kathlamet, Kusotony, Kwatami or Sixes, Lakmiut, Long Tom Creek, Lower Coquille, Lower Umpqua, Maddy, Mackanotin, Mary's River, Multnomah, Munsel Creek, Naltunnetunne, Nehalem, Nestucca, Northern Molalla, Port Orford, Pudding River, Rogue River, Salmon River, Santiam, Scoton, Shasta, Shasta Costa, Siletz, Siuslaw, Skiloot, Southern Molalla, Takelma, Tillamook, Tolowa, Tualatin, Tututui, Upper Coquille, Upper Umpqua, Willamette Tumwater, Yamhill, Yaquina, and Yoncalla;

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" means real property, interest therein, or improvements thereon, and includes water rights.

(d) "Tribal property" means any real or personal property, including water rights, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

SEC. 3. Within ninety days after the date of this Act, the Secretary shall publish in the Federal Register (1) a list of those tribes for which membership rolls will be required for the purposes of this Act, and (2) a list of those tribes for which no membership rolls will be required for the purposes of this Act. Each tribe on each list shall have a period of six months from the date of publication of the notice in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this Act, which shall be published in the Federal Register. In the absence of applicable law, or eligibility requirements in an approved constitution, bylaws, or membership ordinance, eligibility for enrollment shall be determined under such rules and regulations as the Secretary may prescribe. No person shall be enrolled on more than one tribal roll prepared pursuant to this Act. If a tribe on list one fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person

Tribal lists.
Publication in FR.

Proposed rolls.
Publication in FR.

Appeals.

claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within ninety days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. ⊥The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals the roll of the tribe shall be published in the Federal Register and such roll shall be final for the purposes of this Act.

⊥725

Final roll.
Publication in FR.

SEC. 4. Upon publication in the Federal Register of the final roll as provided in section 3 of this Act, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 5 of this Act without the approval of the Secretary. Any contract made in violation of this section shall be null and void.

Personal property rights.

Tribal property.
Procedure for transfer.

SEC. 5. (a) Upon request of a tribe, the Secretary is authorized within two years from the date of this Act to transfer to a corporation or other legal entity organized by the tribe in a form satisfactory to the Secretary title to all or any part of the tribal property, real and personal, or to transfer to one or more trustees designated by the tribe and approved by the Secretary, title to all or any part of such property to be held in trust for management or liquidation purposes under such terms and conditions as may be specified by the tribe and approved by the Secretary, or to sell all or any part of such property and make a pro rata distribution of the proceeds of sale among the members of the tribe after deducting, in his discretion, reasonable costs of sale and distribution.

(b) Title to any tribal property that is not transferred in accordance with the provisions of subsection (a) of this section shall be transferred by the Secretary to one or more trustees designated by him for the liquidation and distribution of assets among the members of the tribe under such terms and conditions as the Secretary may prescribe: *Provided*, That the trust agreement shall provide for the termination of the trust not more than three years from the date of such transfer unless the term of the trust is extended by order of a judge of a court of record designated in the trust agreement: *Provided further*, That the trust agreement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereto to a corporation, other legal entity, or trustee in accordance with the provisions of subsection (a) of this section, and that the trustees shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary.

Agents or attorneys.

(c) The Secretary shall not approve any form of organization pursuant to subsection (a) of this section that provides for the transfer of stock or an undivided share in corporate assets as compensation for the services of agents or attorneys unless such transfer is based upon an appraisal of tribal assets that is satisfactory to the Secretary.

Trustees.

(d) When approving or disapproving the selection of trustees in accordance with the provisions of subsection (a) of this section, and when designating trustees pursuant to subsection (b) of this section, the Secretary shall give due regard to the laws of the State of Oregon that relate to the selection of trustees.

Property of individuals.

SEC. 6. (a) The Secretary is authorized and directed to transfer within two years after the date of this Act to each member of each tribe unrestricted control of funds or other personal property held in trust for such member by the United States.

Trust restrictions, etc.
Removal.

(b) All restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribes (including allottees, purchasers,

heirs, and devisees, either adult or minor) are hereby removed two years after the date of this Act and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any ⊥valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribes by devise or inheritance two years or more after the date of this Act shall vest in such members in fee simple, subject to any valid encumbrance. ⊥1726

(c) Prior to the time provided in subsection (d) of this section for the removal of restrictions on land owned by more than one member of a tribe, the Secretary may—

Land partition.

(1) upon request of any of the owners, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted two years from the date of this Act;

Sale.

(2) upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof and distribute the proceeds of sale to the owners: *Provided*, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

Purchase by owners.

Unlocated owners. Deposit of proceeds.

(3) if the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

SEC. 7. (a) The Act of June 25, 1910 (36 Stat. 855), the Act of February 14, 1913 (37 Stat. 678), and other Acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of the tribes who die six months or more after the date of this Act.

25 U. S. C. 373. Deceased members.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribes who die six months or more after the date of this Act.

Probate of will, etc.

SEC. 8. The Secretary is authorized, in his discretion, to transfer to any tribe or any member or group of members thereof any federally owned property acquired, withdrawn, or used for the administration of the affairs of the tribes subject to this Act which he deems necessary for Indian use, or to transfer to a public or nonprofit body any such property which he deems necessary for public use and from which members of the tribes will derive benefits.

Federal land transfer.

SEC. 9. No property distributed under the provisions of this Act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this Act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

Taxes.

SEC. 10. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this Act, the Secretary shall protect the rights of members of the tribes who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

Guardians of minors, etc.

SEC. 11. Pending the completion of the property dispositions provided for in this Act, the funds now on deposit, or hereafter deposited in the Treasury of the United States to the credit of a tribe shall be available for advance to the tribe, or for expenditure, for such

Advances.

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purposes ⊥as may be designated by the governing body of the tribe and approved by the Secretary.

Patents, deeds, etc.

SEC. 12. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this Act, or to establish a marketable and recordable title to any property disposed of pursuant to this Act.

Federal trust termination proclamation. Publication in FR

SEC. 13. (a) Upon removal of Federal restrictions on the property of each tribe and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians, excluding statutes that specifically refer to the tribe and its members, shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

Citizenship status. Training, etc.

(b) Nothing in this Act shall affect the status of the members of a tribe as citizens of the United States.

(c) Prior to the issuance of a proclamation in accordance with the provisions of this section, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

Revocation of charter

SEC. 14. (a) Effective on the date of the proclamation provided for in section 13 of this Act, the corporate charter of the Confederated Tribes of the Grand Ronde Community, Oregon, issued pursuant to the Act of June 18, 1934 (48 Stat. 984), as amended, and ratified by the Community on August 22, 1936, is hereby revoked.

25 U. S. C. 461-479.

Termination of pow

(b) Effective on the date of the proclamation provided for in section 13 of this Act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of the Act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this Act without the participation of the Secretary or other officer of the United States.

Individual indebtedness. Use of payment

SEC. 15. The Secretary is authorized to set off against any indebtedness payable to the tribe or to the United States by an individual member of the tribe, or payable to the United States by the tribe, any funds payable to such individual or tribe under this Act and to deposit the amount set off to the credit of the tribe or the United States as the case may be.

Claims against U.S

SEC. 16. Nothing in this Act shall affect any claim heretofore filed against the United States by any tribe.

⊥SEC. 17. Nothing in this Act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency. ⊥728 Leases, etc.

SEC. 18. The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this Act, and may in his discretion provide for tribal referenda on matters pertaining to management or disposition of tribal assets. Rules and regulations.

SEC. 19. All Acts or parts of Acts inconsistent with this Act are hereby repealed insofar as they affect a tribe or its members. The Act of June 18, 1934 (48 Stat. 948), as amended by the Act June 15, 1935 (49 Stat. 378), shall not apply to a tribe and its members after the date of the proclamation provided for in section 13 of this Act. Repeals. 48 Stat. 984. 25 U. S. C. 461–479.

SEC. 20. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby. Separability.

Approved, August 13, 1954.

PUBLIC LAW 591 CHAPTER 736

August 16, 1954
[H. R. 8300]
68 Stat. 730
⊥68A Stat. 3

[This Act, printed as Volume 68A of the United States Statutes at Large, is here included in its chronological sequence.]

INTERNAL REVENUE CODE OF 1954

* * *

AN ACT

To revise the internal revenue laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) CITATION.—

(1) The provisions of this Act set forth under the heading "Internal Revenue Title" may be cited as the "Internal Revenue Code of 1954".

(2) The Internal Revenue Code enacted on February 10, 1939, as amended, may be cited as the "Internal Revenue Code of 1939".

(b) PUBLICATION.—This Act shall be published as volume 68A of the United States Statutes at Large, with a comprehensive table of contents and an appendix; but without an index or marginal references. The date of enactment, bill number, public law number, and chapter number, shall be printed as a headnote.

(c) CROSS REFERENCE.—For saving provisions, effective date provisions, and other related provisions, see chapter 80 (sec. 7801 and following) of the Internal Revenue Code of 1954.

(d) ENACTMENT OF INTERNAL REVENUE TITLE INTO LAW.—The Internal Revenue Title referred to in subsection (a) (1) is as follows:

* * *

⊥Subtitle D—Miscellaneous Excise Taxes ⊥68A Stat. 473

* * *

⊥CHAPTER 32—MANUFACTURERS EXCISE TAXES ⊥68A Stat. 481

* * *

⊥Subchapter F—Special Provisions Applicable to Manufacturers Tax ⊥68A Stat. 493

⊥SEC. 4223. EXEMPTION OF ARTICLES MANUFACTURED OR PRODUCED BY INDIANS. ⊥68A Stat. 495

No tax shall be imposed under this chapter on any article of native

Indian handicraft manufactured or produced by Indians on Indian reservations, or in Indian schools, or by Indians under the jurisdiction of the United States Government in Alaska.

* * *

Approved, August 16, 1954.

August 23, 1954
[S. 2744]

68 Stat. 768

PUBLIC LAW 627 CHAPTER 831

AN ACT

To provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes.

Alabama and Coushatta Tribes, Tex.
Termination of Federal supervision.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to convey to the State of Texas the lands held in trust by the United States for the tribe of Indians organized and known as the Alabama and Coushatta Tribes of Texas, located in Polk County, Texas; and such tribe is authorized to convey to the State of Texas the lands purchased for and deeded to the Alabama Indians in accordance with an act of the legislature of the State of Texas approved February 3, 1854, located in Polk County, Texas. All of the lands so conveyed shall be held by the State of Texas in ⊥trust for the benefit of the Indians of the Alabama and Coushatta Tribes of Texas, subject to such conditions regarding management and use as the State of Texas may prescribe and the disposition of such lands shall be subject to approval of a majority of the adult members of the Alabama and Coushatta Tribes of Texas.

⊥769

Federal trust termination.
Publication in FR.

SEC. 2. Upon the conveyance to the State of Texas of the lands held in trust by the United States for the Alabama and Coushatta Tribes of Texas, the Secretary of the Interior shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to such tribe and its members has terminated. Thereafter such tribe and its members shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians: *Provided*, That after the date of this Act such Indians shall be eligible for admission, on the same terms that apply to other Indians, to hospitals and schools maintained by the United States.

SEC. 3. Effective on the date of the proclamation provided for in section 2 of this Act, all powers of the Secretary of the Interior or any other officer of the United States to take, review, or approve any action under the constitution and bylaws of the Alabama and Coushatta Tribes of Texas approved on August 19, 1938, pursuant to the Act of June 18, 1934 (48 Stat. 984), are terminated. Any powers conferred upon the tribe by its constitution and bylaws that are inconsistent with the provisions of this Act are terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this Act without the participation of the Secretary or other officer of the United States in such action.

25 U. S. C. 461–479.

Cancelation of indebtedness.

SEC. 4. The indebtedness of the Alabama and Coushatta Tribes of Texas to the United States incurred under the provisions of the Act of May 29, 1928 (45 Stat. 883, 900), is canceled, effective on the date of the proclamation to be issued in accordance with the provisions of section 2 of this Act.

Revocation of charter.
25 U. S. C. 461–479.

SEC. 5. The corporate charter of the Alabama and Coushatta Tribes of Texas issued pursuant to the Act of June 18, 1934 (48 Stat. 984), ratified on October 17, 1939, is revoked, effective on the date of the proclamation to be issued in accordance with the provisions of section 2 of this Act.

Applicability of State laws.

SEC. 6. On and after the date of the proclamation to be issued in accordance with the provisions of section 2 of this Act, all statutes of

the United States which affect Indians because of their status as Indians shall no longer be applicable to the Alabama and Coushatta Tribes of Texas or the members thereof, except as provided in section 2 of this Act, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

Citizenship status.

SEC. 7. Nothing in this Act shall affect the status of the members of the tribes as citizens of the United States.

49 Stat. 378.
25 U. S. C. 461–479.

SEC. 8. The Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (48 Stat. 387), shall not apply to the tribe and its members after the date of the proclamation to be issued in accordance with the provisions of section 2 of this Act.

Approved, August 23, 1954.

PUBLIC LAW 653 CHAPTER 902

August 24, 1954
[H. R. 8365]
68 Stat. 791

AN ACT

To confirm the authority of the Secretary of the Interior to issue patents in fee to allotments of lands of the Mission Indians in the State of California prior to the expiration of the trust period specified in the Act of January 12, 1891, as amended.

Mission Indians, Calif.
Patents in fee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) The provisions of the Act approved February Eighth, Eighteen Hundred and Eighty Seven (24 Stat. 388), entitled "An Act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes", and all Acts amendatory thereof or supplemental thereto, insofar as they have not hitherto been applicable, shall apply to patents in fee simple heretofore issued or hereafter to be issued under the Act for the relief of the Mission Indians in the State of California, approved January 12, 1891 (26 Stat. 712), as amended or supplemented.

(b) All patents in fee simple heretofore issued covering lands allotted under said Act approved January 12, 1891, as amended or supplemented, are hereby ratified, confirmed and declared valid from the respective dates of such issuance, even though such patents might have been issued prior to the expiration of the trust period existing with respect to a trust patent.

Validation.

(c) All conveyances heretofore made by patentees of lands included in fee simple patents heretofore issued covering lands allotted under said Act approved January 12, 1891, as amended or supplemented, are hereby ratified, confirmed, approved, and declared valid, to the same extent as though this Act had been in full force and effect at the time of the issuance of such patents.

Approved, August 24, 1954.

PUBLIC LAW 657 CHAPTER 906

August 24, 1954
[H. R. 8897]
68 Stat. 793

AN ACT

To authorize and direct the Secretary of the Interior to transfer forty acres of land in the Northern Cheyenne Indian Reservation, Montana, to School District Numbered 6, Rosebud County, Montana.

Rosebud County, Mont.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any contrary provision of law the Secretary of the Interior, or his authorized representative, is hereby authorized and directed to transfer by patent to School District Numbered 6, Rosebud County, Montana, or to any other appropriate governmental agency or local school authority in Montana empowered to take title to land for construction of a public school, in accordance with the resolution of January 29, 1954, by the Northern Cheyenne Tribal Council, all right, title, and interest of the United States and the Northern Cheyenne Tribe,

reserving however to the said Northern Cheyenne Tribe all mineral rights, including gas and oil, as provided by the Act of June 3, 1926 (ch. 450, 44 Stat. 690), in and to a tract of approximately forty acres of land within the Northern Cheyenne Indian Reservation, described as the northeast quarter of the southeast quarter, section 33, township 2 south, range 41 east, Montana prime meridian, subject to such existing easement, right-of-way or other interest as may now be held by the State of Montana for the routing of State Highway Numbered 8.

Approved, August 24, 1954.

August 24, 1954
[H. R. 9821]
68 Stat. 795

PUBLIC LAW 661 CHAPTER 910

AN ACT

To amend titles 18 and 28 of the United States Code.

Menominee Reservation.
67 Stat. 588.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1162, title 18, United States Code, is amended by striking therefrom the words "except the Menominee Reservation" and the comma preceding those words.

67 Stat. 589

SEC. 2. Section 1360, title 28, United States Code, is amended by striking therefrom the words "except the Menominee Reservation" and the comma preceding those words.

Approved, August 24, 1954.

August 26, 1954
[H. R. 9936]
68 Stat. 800

PUBLIC LAW 663 CHAPTER 935

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes.

Supplemental Appropriation Act, 1955.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1955") for the fiscal year ending June 30, 1955, and for other purposes, namely:

* * *

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⊥CHAPTER VII—DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

HEALTH, EDUCATION, AND WELFARE SERVICES

For an additional amount for "Health, education, and welfare services", $1,180,000.

RESOURCES MANAGEMENT

For an additional amount for "Resources management", $100,000, and this amount may be transferred to and merged with the appropriation for "Office of the Solicitor", in addition to any other amounts authorized to be so transferred: *Provided,* That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedure Act (60 Stat. 237), as amended.

5 U. S. C. 1001 note.

CONSTRUCTION

For an additional amount for "Construction", $6,931,000, to remain available until expended: *Provided,* That $3,000,000 of the foregoing amount shall be available to provide financial assistance to public school districts for the construction and equipment of public school

facilities for Navajo Indian children from reservation areas not included in such districts; and $31,000 shall be for the payment of the excess value of land, water rights, and irrigation structures to be received by the Pyramid Lake Paiute Tribe of Indians of the Pyramid Lake Indian Reservation in exchange for tribal lands of said tribe located in the State of Nevada: *Provided*, That title to the land to be acquired for said tribe described as southeast quarter of section 22, township 21 north, range 24 east, Mount Diablo base and meridian, containing one hundred and sixty acres, more or less, and structures shall be taken in the name of the United States in trust for said tribe: *Provided further*, That the prohibition against the use of funds appropriated under this heading in the Interior Department Appropriation Act, 1955, for the acquisition of land or water rights within the State of Nevada, either inside or outside the boundaries of existing reservations shall not apply to this transaction: *Provided further*, That the limitation under this heading in the Interior Department Appropriation Act, 1955, on the amount available for personal services is increased by $1,000,000.

Ante, p. 364.

Ante, p. 364.

RELOCATION OF THE YANKTON SIOUX TRIBE

For necessary expenses of relocating the Yankton Sioux Tribe, South Dakota, in accordance with section 8 of Public Law Numbered 478, Eighty-third Congress, to remain available until expended, $50,000: *Provided*, That said amount shall be assessed against the costs of the Fort Randall Dam and Reservoir, Missouri River Development.

Ante, p. 453.

* * *

Approved, August 26, 1954.

PUBLIC LAW 668 CHAPTER 1006

August 27, 1954
[S. 3239]
68 Stat. 866

AN ACT

To authorize conveyance of land to the State of California for an inspection station.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to sell at not less than the appraised value therof to the State of California, and to convey by appropriate instrument, the following-described land:

California.
Conveyance.

Beginning at a three-fourths inch iron pipe on the westerly right-of-way line of California State Highway Numbered 395, said point of beginning more particularly described as being north forty-six degrees forty-six minutes fifty-three seconds east, four thousand two hundred ten and twenty-eight one-hundredths feet from the corner common to sections 32 and 33, township 43 north, range 13 east, and sections 4 and 5, township 42 north, range 13 east, Mount Diablo base and meridian, and north fifty-five degrees forty-two minutes west, fifty feet from station 214 on the center line of California State Highway Numbered 395; thence, from said point of beginning north fifty-five degrees forty-two minutes west, one hundred thirty and fifteen one-hundredths feet to a three-fourths inch iron pipe on the easterly right-of-way line of the Southern Pacific Railroad; thence, north forty degrees four minutes east, along said right-of-way line seven hundred three and fifty-six one-hundredths feet to a three-fourths inch iron pipe; thence, south fifty-five degrees forty-two minutes east, fifty-nine and forty-eight one-hundredths feet to a three-fourths inch iron pipe in the westerly right-of-way line of California State Highway Numbered 395; thence south thirty-four degrees eighteen minutes west, seven hundred feet to the point of beginning.

SEC. 2. The proceeds of the sale of the land shall be deposited in the Treasury of the United States to the credit of the Pitt River Indians under the Act of May 17, 1926 (44 Stat. 560).

25 U. S. C. 155.

Approved, August 27, 1954.

August 27, 1954
[S. 3532]

68 Stat. 868

PUBLIC LAW 671 CHAPTER 1009

AN ACT

To provide for the partition and distribution of the assets of the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah between the mixed-blood and full-blood members thereof; and for the termination of Federal supervision over the property of the mixed-blood members of said tribe; to provide a development program for the full-blood members of said tribe; and for other purposes.

Ute Indians, Utah.
Distribution of assets.
Termination of Federal supervision.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to provide for the partition and distribution of the assets of the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah between the mixed-blood and full-blood members thereof; for the termination of Federal supervision over the trust, and restricted property, of the mixed-blood members of said tribe; and for a development program for the full-blood members thereof, to assist them in preparing for termination of Federal supervision over their property.

Definitions.

SEC. 2. For the purposes of this Act—

(a) "Tribe" means the Ute Indian Tribe of the Uintah and Ouray Reservation, Utah.

(b) "Full-blood" means a member of the tribe who possesses one-half degree of Ute Indian blood and a total of Indian blood in excess of one-half, excepting those who become mixed-bloods by choice under the provisions of section 4 hereof.

(c) "Mixed-blood" means a member of the tribe who does not possess sufficient Indian or Ute Indian blood to fall within the full-blood class as herein defined, and those who become mixed-bloods by choice under the provisions of section 4 hereof.

(d) "Secretary" means Secretary of the Interior.

(e) "Superintendent" means the Superintendent of the Uintah and Ouray Reservation, Utah.

(f) "Asset" means any property of the tribe, real, personal or mixed, whether held by the tribe or by the United States in trust for the tribe, or subject to a restriction against alienation imposed by the United States.

(g) "Adult" means a member of the tribe who has attained the age of twenty-one years.

SEC. 3. For the purposes of this Act Ute Indian blood shall be determined in accordance with the constitution and bylaws of the tribe and all tribal ordinances in force and effect on the effective date of this Act.

SEC. 4. Any member of the tribe whose name appears on the proposed roll of full-blood members as provided in section 8 hereof and any person whose name is added to such proposed roll as the result of an appeal to the Secretary may apply to the Superintendent to become identified with and a part of the mixed-blood group: *Provided,* That such application is made within thirty days subsequent to the publication of such proposed roll or in the event of an appeal within thirty days subsequent to notification of the decision on said appeal: *And provided further,* That before such transfer is made upon the official rolls the Secretary shall first certify that, in his opinion, such change in status is not detrimental to the best interest of the person seeking such change.

SEC. 5. Effective on the date of publication of the final rolls as provided in section 8 hereof the tribe shall thereafter consist exclusively of full-blood members. Mixed-blood members shall have no interest therein except as otherwise provided in this Act.

Mixed-blood members.
Right to organize.

SEC. 6. The mixed-blood members of the tribe, including those residing on and off the reservation, shall have the right to organize for their common welfare, and may adopt an appropriate constitution and bylaws which shall become effective when ratified by a majority ⊥vote of the adult mixed-blood members of the tribe at a special election

authorized and called by the Secretary under such rules and regulations as he may prescribe. Such constitution may provide for the selection of authorized representatives who shall have power to take any action that is required by this Act to be taken by the mixed-blood members as a group: *Provided*, That nothing herein contained shall be construed as requiring said mixed-blood Indians to so organize if such organization is by them deemed unnecessary. In the event no such approved organization is effected, any action taken by the adult mixed-blood members, by majority vote, whether in public meeting or by referendum, but in either event, after such notice as may be prescribed by the Secretary, shall be binding upon said mixed-blood members of the tribe for the purposes of this Act.

Legal counsel.

SEC. 7. The mixed-blood members of the tribe as a group may employ legal counsel to accomplish the legal work required on behalf of said group under the terms of this Act, and for any other purpose by them deemed necessary or desirable; the choice of counsel and fixing of fees to be subject to the approval of the Secretary until Federal supervision over all of the members of said group and their property is terminated in the manner provided in section 16 of this Act.

Tribal roll.

SEC. 8. The tribe shall have a period of thirty days from the date of enactment of this Act in which to prepare and submit to the Secretary a proposed roll of the full-blood members of the tribe, and a proposed roll of the mixed-blood members of the tribe, living on the date of enactment of this Act. If the tribe fails to submit such proposed rolls within the time specified in this Act, the Secretary shall prepare such proposed rolls for the tribe. Said proposed rolls shall be published in the Federal Register, and in a newspaper of general circulation in each of the counties of Uintah and Duchesne in the State of Utah. Any person claiming membership rights in the tribe, or an interest in its assets, or a representative of the Secretary on behalf of any such person, within sixty days from the date of publication in the Federal Register, or in either of the papers of general circulation, as hereinbefore provided, whichever publication date is last, may file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from either of such proposed rolls. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals to the Secretary, and after all transfers have been made pursuant to section 4 hereof the roll of the full-blood members of the tribe, and the roll of the mixed-blood members of the tribe, shall be published in the Federal Register, and such rolls shall be final for the purposes of this Act.

Publication in FR.

Disposal of lands.

SEC. 9. The business committee of the tribe for and on behalf of the full-blood members of said tribe, and the duly authorized representatives for the mixed-blood members of said tribe, acting jointly, are hereby authorized, subject to the approval of the Secretary, to sell, exchange, dispose of, and convey to any purchaser deemed satisfactory to said committee and representatives, any or all of the lands of said tribe described as follows, to wit:

Description	Section	Acres
Township 1 North, Range 1 East:		
NW/4 SW/4	35	40.00
Township 1 North, Range 1 West:		
W/2 NE/4	20	80.00
SE/4 SW/4	21	40.00
NE/4 NW/4; N/2 SW/4	28	120.00
Total		240.00

Description	Section	Acres
Township 2 North, Range 1 West:		
E/2 SW/4 NE/4	35	20.00
Township 1 South, Range 1 West:		
NW/4 SE/4	6	40.00
Lot 3	7	40.51
S/2 NE/4; NE/4 SE/4; W/2 SW/4 NW/4; W/2 NW/4 SW/4	16	160.00
E/2 SE/4	17	80.00
E/2 NE/4	20	80.00
SE/4 SE/4	29	40.00
Lot 2	30	40.26
SW/4 NW/4; SW/4 SE/4	35	80.00
SW/4 NE/4	36	40.00
Total		600.77
Township 1 South, Range 2 West:		
NW/4 SW/4	12	40.00
S/2 NE/4; N/2 SE/4	14	160.00
Total		200.00
Township 1 South, Range 3 West:		
SW/4 SE/4	8	40.00
NW/4 NW/4	16	40.00
Total		80.00
Township 1 South, Range 8 West:		
W/2 SW/4	3	80.00
NE/4 SE/4	4	40.00
All	5	721.00
All	6	695.40
NE/4 NW/4	10	40.00
NE/4 SW/4	12	40.00
SW/4 NW/4	14	40.00
Total		1,656.40
Township 2 South, Range 1 West:		
S/2 SW/4; SE/4 SE/4	1	120.00
Lot 3; SE/4 NW/4	4	81.28
Lots 1 & 2; E/2 NW/4; W/2 NE/4	7	237.78
NW/4 NW/4	12	40.00
SE/4 NE/4	13	40.00
Total		519.06
Township 2 South, Range 1 East:		
Lot 2; SE/4 NW/4	18	79.71
Township 2 South, Range 2 West:		
S/2 S/2	2	160.00
N/2	12	320.00
Total		480.00
Township 2 South, Range 3 West:		
E/2 NE/4	17	80.00
NE/4 SW/4; S/2 SE/4	19	120.00
NW/4 SW/4	29	40.00
Lots 1 & 2; E/2 NW/4; NE/4	30	316.36
Lot 2; SE/4 NW/4	31	78.40
Total		634.76

Description	Section	Acres
Township 2 South Range 4 West:		
SW/4 SW/4	1	40.00
SE/4 SW/4; SW/4 SE/4	9	80.00
W/2 NE/4	16	80.00
NE/4	28	160.00
N/2 SE/4	32	80.00
Lots 3 & 4; N/2 SW/4	33	167.31
NE/4 SW/4; N/2 SE/4; Lots 1 & 2	36	200.46
Total		807.77
Township 2 South Range 5 West:		
NW/4	10	160.00
NE/4 NE/4	29	40.00
N/2 NE/4; SE/4 NE/4	33	120.00
W/2 NW/4; SE/4 NW/4; N/2 SW/4; SE/4 SW/4; S/2 SE/4	34	320.00
NW/4 SE/4	36	40.00
Total		680.00
Township 2 South Range 7 West:		
NE/4 SE/4; SW/4 SW/4	13	80.00
NE/4 NE/4; SW/4 NW/4; N/2 SW/4; SE/4 SW/4; W/2 SE/4; SE/4 SE/4	14	320.00
W/2 NE/4; SE/4 NE/4	15	120.00
N/2 NE/4	23	80.00
N/2 N/2; SE/4 NE/4	24	200.00
Total		800.00
Township 2 South Range 8 West:		
SE/4 SW/4	31	40.00
Township 3 South Range 1 East:		
Lot 2; SE/4 NW/4; S/2 NE/4	7	158.12
N/2 SW/4; SW/4 NE/4; NW/4 SE/4	16	160.00
Lots 1, 2 & 3; NE/4 SW/4	18	155.35
E/2 NE/4	30	80.00
Total		553.47
Township 3 South Range 2 East:		
Lot 8	6	35.49
SW/4 SW/4	25	40.00
SE/4 NW/4; E/2 SW/4	36	120.00
Total		195.49
Township 3 South Range 1 West:		
N/2 SE/4	3	80.00
Lots 1–8, Incl	22	331.46
Lots 1–4, Incl.; S/2 N/2	23	338.28
Lots 1–4, Incl.; S/2 N/2	24	341.20
W/2 SE/4	25	80.00
Total		1,170.94
Township 3 South Range 2 West:		
S/2 S/2	9	160.00
S/2 SE/4	7	80.00
SW/4 SW/4	8	40.00
W/2 SW/4	15	80.00
NE/4 SW/4; NW/4; SE/4	16	360.00
SW/4 SW/4	17	40.00
NE/4 NE/4	18	40.00
N/2 NE/4	21	80.00
N/2 NW/4	24	80.00
W/2 SW/4	33	80.00
Total		1,040.00

Description	Section	Acres
Township 3 South Range 3 West:		
S/2 NW/4; NE/4 SW/4; N/2 SE/4	2	200.00
NW/4 SE/4; N/2 SW/4	17	120.00
All (Lots 1–4, Incl., E/2 W/2; E/2)	19	633.87
SW/4 SW/4	20	40.00
E/2 SW/4	21	80.00
N/2 NW/4; S/2 NE/4; NE/4 SE/4	29	200.00
W/2 NE/4; NE/4 NW/4; Lot 1	30	158.66
Total		1,432.53
Township 3 South Range 4 West:		
SW/4 NW/4	11	40.00
S/2 SE/4; SE/4 SW/4; N/2 S/2	13	280.00
NE/4; NE/4 NW/4	24	200.00
SE/4 NE/4; W/2 NE/4; E/2 NW/4	26	200.00
E/2 NE/4	30	80.00
Total		800.00
Township 3 South Range 5 West:		
Lots 1 & 2; SE/4 NE/4	3	118.86
Lot 4; SW/4 NW/4; W/2 SW/4; SE/4 SW/4	2	199.58
S/2 NE/4; N/2 SE/4	5	160.00
NW/4; W/2 NE/4; NE/4 SW/4; NW/4 SE/4	11	320.00
W/2 E/2	12	160.00
W/2 E/2	13	160.00
SW/4 NW/4; N/2 SW/4; SW/4 SW/4	21	160.00
E/2 NE/4	34	80.00
Total		1,358.44
Township 3 South Range 7 West:		
Lots 3 & 4	7	66.55
S/2	13	320.00
NW/4 SW/4	16	40.00
E/2 SE/4; SW/4 SE/4; W/2 NW/4	17	200.00
E/2 NE/4; Lots 1 & 2	18	147.16
Total		773.71
Township 3 South Range 8 West:		
E/2; NW/4; E/2 SW/4	35	560.00
S/2 S/2	1	160.00
SW 4	2	160.00
W/2 SE/4	3	80.00
Lot 3; SE/4 NW/4; NE/4 SW/4	6	120.04
SE 4	9	160.00
NE/4	10	160.00
S/2 NW/4	11	80.00
NW/4; SE/4	12	320.00
N/2 NE/4; SE/4 NE/4; SE/4; NE/4 NW/4	13	320.00
NE/4; S/2	14	480.00
S/2	15	320.00
W/2 NE/4; S/2 NW/4	27	160.00
Total		3,080.04
Township 3 South Range 9 West:		
SW/4 NW/4; NW/4 SW/4	27	80.00
Township 4 South Range 2 West:		
Lot 3; NE/4 SW/4; N/2 SE/4	7	159.70
E/2 NE/4; SW/4 NE/4	12	120.00
E/2 NW/4; SW/4 NW/4	16	120.00
SE/4 NE/4; NW/4; NW/4 SW/4; N/2 SE/4	17	320.00
Lot 1	18	39.91
SE/4; S/2 NE/4; S/2 SW/4	21	320.00
S/2	22	320.00
W/2 SW/4	23	80.00
Lot 4	26	6.89
Lots 1–4, Incl	27	26.59
	28	126.64

Description	Section	Acres
Lots 1–4, Incl Lots 1–6, Incl.; NE/4; E/2 NW/4	30	475.16
Total		2,114.89
Township 4 South, Range 3 West:		
Lot 10	2	40.90
E/2 NE/4; NE/4 SE/4	13	120.00
Lots 1 & 2; N/2 SE/4; SW/4; N/2	25	622.29
All	26	640.00
Lots 1–6, Incl.; NW/4 NW/4	35	237.96
Lot 1	36	25.75
Total		1,686.90
Township 4 South, Range 4 West:		
S/2	25	320.00
Township 4 South, Range 8 West:		
N/2	29	320.00
Township 4 South, Range 9 West:		
S/2	9	320.00
All	10	640.00
All	11	640.00
S/2	12	320.00
N/2; N/2 S/2; SE/4 SE/4	13	520.00
N/2	14	320.00
N/2	15	320.00
N/2	16	320.00
N/2	17	320.00
Lots 3 & 4; E/2 SW/4; SE/4	18	319.09
Lots 1 & 2; E/2 NW/4; NE/4	19	319.37
Total		4,358.46
Township 4 South Range 10 West:		
S/2	13	320.00
SE/4 NW/4; E/2 SW/4	17	120.00
NE/4 NW/4	20	40.00
Total		480.00
Township 5 South Range 7 West:		
S/2 SW/4	35	80.00
Township 5 South Range 9 West:		
SE/4 NW/4; S/2 NE/4	34	120.00
SW/4 NW/4	35	40.00
Total		160.00
Township 6 South Range 9 West:		
SW/4 SE/4	5	40.00
W/2 NE/4; NW/4 SE/4	8	120.00
Total		160.00
Grand total		27,043.34

⊥All such sales, exchanges, or other dispositions shall be made upon such terms as said committee and said authorized representatives shall deem satisfactory and may be made pursuant to bids or at private sale, and all funds or other property derived from such sales, exchanges, or other dispositions shall be subject to the terms of this Act. Consent by the tribal business committee and said authorized representatives to the sale, exchange, or other disposal of the lands herein described shall relieve the United States of any liability resulting from such sale, exchange, or other disposition. The tribal ⊥873

business committee and said authorized representatives are further authorized to sell or dispose of tribal assigned lands to the assignees thereof under such terms and conditions as may be agreed upon by the said tribal business committee and said authorized representatives with the assignees, subject, however, to the approval of the Secretary.

Division of assets

SEC. 10. The tribal business committee representing the full-blood group, and the authorized representatives of the mixed-blood group, within sixty days after the publication of the final membership roll, as provided in section 8 hereof, shall commence a division of the assets of the tribe that are then susceptible to equitable and practicable distribution. Such division shall be by agreement between them subject to the approval of the Secretary. Said division shall be based upon the relative number of persons comprising the final membership roll of each group. After such division the rights or beneficial interests in tribal property of each mixed-blood person whose name appears on the roll shall constitute an undivided interest in and to such property which may be inherited or bequeathed, but shall be subject to alienation or encumbrance before the transfer of title to such tribal property only as provided herein. Any contract made in violation of this section shall be null and void. If said groups are unable to agree upon said division within a period of twelve months from the date of such commencement, or any authorized extension of said period granted within the discretion of the Secretary, the Secretary is authorized to partition the assets of the tribe in such manner as in his opinion will be equitable and fair to both groups. Such partition shall give rise to no cause of action against the United States and the costs of such partition shall be paid by the tribe. The Secretary is authorized to provide such reasonable assistance as may be requested by both groups, or by either group, in formulation and execution of a plan for the division of said assets, including necessary technical services of Government employees at Fort Duchesne, Utah, and arranging for necessary consultations with representatives of Federal departments and agencies, officials of the State of Utah, and political subdivisions thereof, and members of the tribe. All unadjudicated or unliquidated claims against the United States, all gas, oil, and mineral rights of every kind, and all other assets not susceptible to equitable and practicable distribution shall be managed jointly by the Tribal Business Committee and the authorized representatives of the mixed-blood group, subject to such supervision by the Secretary as is otherwise required by law, and the net proceeds therefrom after deducting the costs chargeable to such management shall first be divided between the full-blood and mixed-blood groups in direct proportion to the number of persons comprising the final membership roll of each group and without regard to the number of persons comprising each group at the time of the division of such proceeds.

Availability of tribal funds

SEC. 11. Notwithstanding any other provision of existing law, the tribal funds now on deposit or hereafter deposited in the United States Treasury to the credit of the tribe or either group thereof, shall be available for advance to the tribe or the respective groups, or for expenditure, for such purposes, including per capita payments, ⊥as may be designated by the Tribal Business Committee for the full-blood members, and by the authorized agents of the mixed-blood members, and in either event subject to the approval of the Secretary: *Provided*, That the aggregate amount of the expenditures and advances authorized by this section for the mixed-blood group shall not exceed 50 per centum of the total funds of said mixed-blood group after such division, until said mixed-blood group has adopted a plan approved by the Secretary for termination of Federal supervision of said mixed-blood group, as required under section 13 hereof. After such termina-

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tion of Federal supervision, per capita payments to the mixed-blood group shall not be subject to approval of the Secretary.

Per capita payments.

SEC. 12. Fifty per centum of all per capita payments to any individual mixed-blood member made pursuant to any division or distribution hereunder shall have deducted therefrom any sum or sums of money owed by such member to the tribe, whether due or to become due, unless in the opinion of the Secretary said debts are not adequately secured in which event the entire per capita payment shall be subject to such offset. Any other division, partition or distribution of property to any individual mixed-blood member made pursuant to this Act shall be subject to a mortgage to be made in favor of the tribe securing the payment of all sums of money owed by him to the tribe on the date of such division, partition or distribution to such individual mixed-blood member. The Secretary shall require the execution of any mortgage required hereunder as a condition to any such division, partition or distribution.

Mortgage requirement.

Distribution to individual members.

SEC. 13. After the adoption of a plan for the division of the assets between the two groups, a plan for distribution of the assets of the mixed-blood group to the individual members thereof shall be prepared and ratified by a majority of said group, within the period of six months from such adoption and presented to the Secretary for approval. The Secretary is authorized to provide such reasonable assistance, including necessary technical service of Government employees at Fort Duchesne, Utah, and arranging for necessary consultation with representatives of Federal departments and agencies, officials of the State of Utah and political subdivisions thereof, as may be required by the mixed-blood group in the preparation of such plan.

Plan.

The plan for division of the assets among the members of the mixed-blood group may include:

(1) Complete disposition of all cash assets of said group, reserving, however, sufficient funds to cover—

(i) the proportionate share of said mixed-blood group in and to all expenses incurred in effecting the purposes of this Act, including, but not limited to, the necessary expense incurred under sections 13 and 14 of this Act;

(ii) the just and proportionate share of the mixed-bloods in the expense incurred in the prosecution of the claims of the tribe, or the bands thereof, against the United States; and

(iii) the determinable and estimated administrative costs and expenses of any mixed-blood organization authorized by this Act, including lawful and reasonable salaries and fees of authorized agents, officers and employees of said mixed-blood group.

(2) Partition of the lands of the mixed-blood group, excepting all gas, oil, and mineral rights, to corporations, partnerships, or other legal entities, and to trustees, and the individual members of said groups, quality and quantity relatively considered, according to the respective rights and interests of the parties, located so as to embrace, as far as practicable, any improvements lawfully made by the person ⊥or persons receiving such land. The value of the improvements made, under a valid lease or assignment from the tribe, shall be excluded from the valuation in making allotments to the lessee or assignee, and the land must be valued without regard to such improvements unless the lease or assignment, under which said improvements were made, provided that such improvements should become the property of the tribe. In the making of any partition due consideration shall be given to all of the rights and interests of the person or persons receiving the property, and all of the rights and interests of the other members of the tribe. Two or more of the members of said mixed-blood group may obtain their share of property as tenants in common, as joint tenants, or in any other lawful manner when such members agree among themselves as to the manner in which they desire to receive such title.

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When it appears that an equitable partition cannot be made among the members of said mixed-blood group without prejudice to the rights and interests of some of them, and yet a partition is directed by the group, the members of said group may voluntarily determine compensation to be made by one party to another on account of the inequity. In all cases where equity is agreed upon by the members of said mixed-blood group, such compensatory adjustment among the parties, according to the principles of equity, must be approved by the Secretary. In the event of a failure to agree upon an equitable compensatory adjustment among the parties the Secretary shall make such adjustment and his decision shall be final.

(3) Organization of corporations for the grazing of livestock, handling of water and water rights, and the shares therein may be issued to the members of said group in proportion to their interests in the assets of such corporations. When, in the opinion of said mixed-blood group, it is to the best interest of said group to transfer a portion of the assets of said group to a corporation or other legal entity for any purpose, the Secretary is authorized to make such transfer.

(4) A transfer of assets to one or more trustees designated by said group who shall hold title to all or any part of the property of said group for management or liquidation purposes under terms and conditions prescribed by said mixed-blood group. The Secretary is authorized to make such transfer, and approve the trustees, and the terms and conditions of the trust.

(5) Sale of any portion of the assets of said group subject to the approval of the Secretary. In addition to the sales herein otherwise authorized, authority is granted to the authorized representatives of said group to sell any property of said group when, in the opinion of the majority of said mixed-blood group, a practicable partition cannot be made, or for any other reason it is deemed to the best interests of the group, and the proceeds of such sales shall be distributed equitably among the members of said mixed-blood group; after deducting reasonable cost of sale and distribution.

SEC. 14. In the event all the tribal assets, susceptible to equitable and practicable distribution, distributed to the mixed-blood group under the provisions of section 10 hereof, are not, within seven years from the date of enactment of this Act, distributed to the individual mixed-blood members as contemplated in the plan to be adopted in accordance with the provisions of section 13 hereof, so as to effectively terminate Federal supervision over said assets, then the Secretary shall proceed to make such distribution in a manner, in his discretion, deemed fair and equitable to all members of said group, or convey such assets to a trustee for liquidation and distribution of the net proceeds, or convey such assets to the persons entitled thereto as tenants in common.

Disposal of tribal assets by individual member.

⊥SEC. 15. Any member of the mixed-blood group may dispose of his interest in the tribal assets prior to termination of Federal supervision, subject to the approval of the Secretary. In the event a member of the mixed-blood group determines to dispose of his interest in any of said real property at any time within ten years from the date of enactment of this Act, he shall first offer it to the members of the tribe, and no sale of any interest, prior to termination of Federal supervision, shall be authorized without such offer to said members of the tribe in such form as may be approved by the Secretary. After termination of Federal supervision the requirement of such offer, in form to be approved by the Secretary, shall be a covenant to run with the land for said ten-year period, and shall be expressly provided in any patent or deed issued prior to the expiration of said period.

Sales restrictions, etc. Removal.

SEC. 16. (a) When any mixed-blood member of the tribe has received his distributive share of the tribal assets distributed to the mixed-blood group under the provisions of section 10 hereof, whether such

distribution is made in part or in whole to a corporation, partnership, or trusteeship in which he is interested, or otherwise, the Secretary is authorized and directed to immediately transfer to him unrestricted control of all other property held in trust for such mixed-blood member by the United States, and shall further remove all restrictions on the sale or encumbrance of trust or restricted property owned by such member of the tribe, and Federal supervision of such member and his property shall thereby be terminated, except as to his remaining interest in tribal property in the form of any unadjudicated or unliquidated claims against the United States, all gas, oil, and mineral rights of every kind, and all other tribal assets not susceptible to equitable and practicable distribution, all of which shall remain subject to the terms of this Act, notwithstanding anything herein contained to the contrary.

(b) Prior to the removal of restrictions in accordance with the provisions of subsection (a) hereof on land owned by more than one person, the Secretary may—

Partition.

(1) upon request of any of the owners, partition the land and issue to each owner an unrestricted patent or deed for his individual share, unless such owner is a full-blood member of the tribe or other Indian who owns trust or restricted property, in which event a trust patent or restricted deed shall be issued and such trust may be terminated or such restrictions may be removed when the Secretary determines that the need therefor no longer exists;

Sale.

(2) upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof and distribute the proceeds of sale to the owners: *Provided*, That before a sale any one or more of the owners may elect to purchase the other interests in the land, or the tribe may elect to purchase the entire interest in the land, at not less than the appraised value thereof.

Taxes.

SEC. 17. No distribution of the assets made under the provisions of this Act shall be subject to any Federal or State income tax: *Provided*, That so much of any cash distribution made hereunder as consists of a share of any interest earned on funds deposited in the Treasury of the United States shall not by virtue of this Act be exempt from individual income tax in the hands of the recipients for the year in which paid. Property distributed to the mixed-blood group pursuant to the terms of this Act shall be exempt from property taxes for a period of seven years from the date of enactment of this Act, unless the original distributee parts with title thereto, either by deed, descent, succession, foreclosure of mortgage, sheriff's sale or other conveyance: *Provided*, ⊥That the mortgaging, hypothecation, granting of a right-of-way, or ⊥1877 other similar encumbrance of said property shall not be construed as a conveyance subjecting said property to taxation under the provisions of this section. After seven years from the date of enactment of this Act, all property distributed to the mixed-blood members of the tribe under the provisions of this Act, and all income derived therefrom by the individual, corporation, or other legal entity, shall be subject to the same taxes, State and Federal, as in the case of non-Indians; except that any valuation for purposes of Federal income tax on gains or losses shall take as the basis of the particular taxpayer the value of the property on the date title is transferred by the United States pursuant to this Act.

Probation of wills, etc.

SEC. 18. The laws of the United States with respect to probate of wills, determination of heirship, and the administration of estates shall apply to the individual trust property of mixed-blood members of the tribe until Federal supervision is terminated. Thereafter, the laws of the several States, Territories, possessions, and the District of

Columbia within which such mixed-blood members reside at the time of their death shall apply.

Claims.

SEC. 19. Nothing in this Act shall affect any claim heretofore filed against the United States by the tribe, or the individual bands comprising the tribe.

Leases, permits, etc.

SEC. 20. Nothing in this Act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved.

Water rights.

SEC. 21. Nothing in this Act shall abrogate any water rights of the tribe or its members.

Guardians for minors, etc.

SEC. 22. For the purposes of this Act, the Secretary shall protect the rights of members of the tribe who are minors, non compos mentis, or, in the opinion of Secretary, in need of assistance in conducting their affairs, by such means as he may deem adequate, but appointment of guardians pursuant to State laws, in any case, shall not be required until Federal supervision has terminated.

Federal trust termination proclamation. Publication in FR.

SEC. 23. Upon removal of Federal restrictions on the property of each individual mixed-blood member of the tribe, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to such individual is terminated. Thereafter, such individual shall not be entitled to any of the services performed for Indians because of his status as an Indian. All statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to such member over which supervision has been terminated, and the laws of the several States shall apply to such member in the same manner as they apply to other citizens within their jurisdiction.

Development program.

SEC. 24. Within three months after the date of enactment of this Act, the business committee of the tribe representing the full-blood group thereof shall present to the Secretary a development program calculated to assist in making the tribe and the members thereof self-supporting, without any special Government assistance, with a view of eventually terminating all Federal supervision of the tribe and its members. The tribal business committee, representing the full-blood group shall, through the Secretary of the Interior, make a full and complete annual progress report to the Congress of its activities, and of the expenditures authorized under this Act.

Report to Congress.

Citizenship status.

SEC. 25. Nothing in this Act shall affect the status of the members of the tribe as citizens of the United States.

Patents, deeds, etc.

SEC. 26. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments, as may be necessary or appropriate to carry out the provisions

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of this Act, or to establish a marketable and recordable title to any property disposed of pursuant to this Act.

Rules and regulations.

SEC. 27. The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this Act, and may, in his discretion, provide for tribal or group referenda on matters pertaining to management or disposition of tribal or group assets.

Agreements.

SEC. 28. Whenever any action pursuant to the provisions of this Act requires the agreement of the mixed-blood and full-blood groups and such agreement cannot be reached, the Secretary is authorized to proceed in any manner deemed by him to be in the best interests of both groups.

SEC. 29. All Acts, or parts of Acts, inconsistent with this Act are hereby repealed insofar as they affect the tribe or its members.

Separability.

SEC. 30. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Approved, August 27, 1954.

PUBLIC LAW 673 CHAPTER 1011

August 27, 1954
[H. R. 3419]
68 Stat. 878

AN ACT

To authorize a $50 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. 137), to the credit of the Red Lake Indians in Minnesota, and to pay therefrom $50 to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living at the date of enactment of this Act. Such payment shall be made in two installments of $25 each, the first to be made within thirty days of ratification by the Red Lake Band of Chippewa Indians of Minnesota as provided for in section 2 of this Act, the second installment ninety days thereafter, and under such other rules and regulations as the Secretary of the Interior may prescribe.

Chippewa Indians.
Per capita payment to Red Lake Band.

⊥SEC. 2. No money paid to Indians under this Act shall be subject to any lien or claim of attorneys or other persons. Before any payment is made under this Act, the Red Lake Band of Chippewa Indians of Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify and accept the provisions of this Act.

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SEC. 3. Payments made under this Act shall not be held to be "other income and resources" as that term is used in sections 2 (a) (7), 402 (a) (7), and 1002 (a) (8) of the Social Security Act, as amended (U. S. C., 1946 edition, title 42, secs. 302 (a) (7), 602 (a) (7), and 1202 (a) (8)).

49 Stat. 620, 627.
64 Stat. 553.

Approved August 27, 1954.

PUBLIC LAW 706 CHAPTER 1076

August 30, 1954
[H. R. 6290]
68 Stat. 966

AN ACT

To discontinue certain reports now required by law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following reports or statements now required by law are hereby discontinued, and all Acts or parts of Acts herein cited as requiring the submission of such reports or statements are hereby repealed to the extent of such requirement:

By-law reports.

⊥REPORTS UNDER THE DEPARTMENT OF THE INTERIOR

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* * *

24. The annual report of the Secretary of the Interior to the Speaker of the House of Representatives of the fiscal affairs of all Indian tribes for whose benefit expenditures from either public or tribal funds shall have been made by any officer, clerk, or employee in the Interior Department during the preceding fiscal year (36 Stat. 1077; 25 U. S. C. 143).

* * *

Approved August 30, 1954.

PUBLIC LAW 715 CHAPTER 1085

August 30, 1954
[H. R. 4118]
68 Stat. 979

AN ACT

To authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands.

Indian tribes of Oregon.
Enrollment of descendants

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, hereafter referred to as the "Secretary", is hereby authorized and directed to prepare separate rolls of the Indians of the blood of the Molel or Molallalas Tribe of Oregon and of the Confederated Bands of the Umpqua Tribe of Indians and the Calappoias residing in the Umpqua Valley, and of the Tillamook, Coquille, Tootootoney, and Chetco Tribes of Oregon, living on the date of this Act. Applications for enrollment shall be filed within one year of the date of approval of this Act. The determination of the Secretary of the eligibility of an applicant for enrollment shall be final and conclusive. No person shall be entitled to be enrolled on more than one roll.

Per capita payments.

SEC. 2. The Secretary is authorized and directed to withdraw the funds on deposit in the Treasury of the United States to the credit of the respective tribes or bands, including those funds appropriated by

65 Stat. 754

Public Law 253 (Eighty-second Congress) approved November 1, 1951, in satisfaction of judgments obtained by the tribes or bands in the cases of Alcea Band of Tillamook, et al., against United States (119 C. Cls. 835), and Rogue River Tribes of Indians, et al., against United States (116 C. Cls. 454), and to make appropriate and equitable per capita payments therefrom to each person whose name appears on said approved rolls: *Provided*, That any amounts paid to or for individual members, or distributed to or for the legatees or next of kin of any enrollee, as provided in this Act, shall not be subject to Federal tax.

SEC. 3. (a) The Secretary shall make payments directly to a living enrollee. The Secretary shall distribute the share of a person determined to be eligible for enrollment, but who dies subsequent to the date of approval of this Act and on whose behalf an application is filed and approved, and the share of a deceased enrollee, directly to his next of kin or legatees as determined by the laws of the domicile of the decedent, upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) Payments due persons under twenty-one years of age or persons under legal disability shall be made in accordance with laws applicable to such persons in the State of domicile of the payee. The Secretary may apply to any court of competent jurisdiction for the appointment of a guardian to receive and administer payments due a person under twenty-one years of age or under legal disability, and may take such other action as he deems appropriate for the protection of the interests of any such person in connection with payments hereunder.

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⊥(c) No part of any payment hereunder shall be subject to any debt or debts created prior to the date of this Act by a beneficiary of Indian blood. Payment to living enrollees, unless under twenty-one years of age, or under legal disability, shall be completed within one year after approval of the tribal rolls. Payment to next of kin and legatees, and payment for the account of persons under twenty-one years of age or under legal disability shall be completed within the same period of time to the maximum extent possible.

SEC. 4. All costs incurred by the Secretary in the preparation of such rolls and the payment of such per capita shares shall be paid by appropriate withdrawals out of the fund or funds on deposit in the Treasury of the United States arising out of such judgments.

SEC. 5. The Secretary is authorized to prescribe the necessary rules and regulations to carry out the purposes of this Act.

Approved, August 30, 1954.

PUBLIC LAW 716 CHAPTER 1086

August 30, 1954
[H. R. 7290]
68 Stat. 980

AN ACT

To authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $206,880 to be used by the Secretary of Interior for assisting the Klamath County School District in constructing and equipping new public-school facilities, which shall include an elementary school site, school building, and necessary equipment, on the Klamath Indian Reservation at Chiloquin, Klamath County, Oregon.

Klamath Indian Reservation.

School construction.

SEC. 2. The expenditure of any money appropriated pursuant to the first section of this Act shall be subject to the express conditions that (1) 40 per centum of the cost of such facilities shall be paid by the Klamath County School District; (2) such facilities shall be available to all Indian children of the district on the same terms, except as to payment from Federal funds of tuition of Indian children under Federal supervision, as other children of the district; (3) the cost of preparing the plans and specifications for such facilities, to be furnished by the local or State authorities, shall be paid out of the appropriation authorized in this Act in the same proportion as the building costs; (4) upon the approval of such plans and specifications by the Secretary of the Interior, the actual work shall proceed under the supervision of such local authority; and (5) payment for the work completed shall be made monthly on vouchers properly certified by the local officials of the Bureau of Indian Affairs.

Conditions.

Approved, August 30, 1954.

PUBLIC LAW 726 CHAPTER 1144

August 31, 1954
[S. 3108]
68 Stat. 999

AN ACT

To modify the Act of October 8, 1940 (54 Stat. 1020) and the Act of July 24, 1947 (61 Stat. 418) with respect to the recoupment of certain public school construction costs in Minnesota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective on July 1, 1954, the recoupment requirements of the Act of October 8, 1940 (54 Stat. 1020) and the Act of July 24, 1947 (61 Stat. 418), shall become inapplicable to the unrecouped balances of funds expended pursuant to such Acts.

Minnesota.
School costs.

Approved, August 31, 1954.

PUBLIC LAW 741 CHAPTER 1159

August 31, 1954
[H. R. 5499]
68 Stat. 1026

AN ACT

To provide for the construction, maintenance, and operation of the Michaud Flats project for irrigation in the State of Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to construct, maintain, and operate the ⊥Michaud Flats project for irrigation in the State of Idaho substantially in accordance with the plans set forth in the report of the Bureau of Reclamation Regional Director of Region 1, dated October 22, 1953, with such modifications as the Commissioner of Reclamation, with the approval of the Secretary, may find proper in order to provide for the most efficient accomplishment of all the purposes of such plans. Such construction, maintenance, and operation shall be in accordance with the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) as far as such laws are not inconsistent with the provisions of section 2 of this Act.

Michaud Flats project, Idaho.

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43 U. S. C. 371 note.

Repayment of costs.

SEC. 2. The project's water users shall be required to assume an obligation to repay out of that part of the total construction cost of the project which the Secretary determines to be properly allocable to irrigation, so much as the Secretary finds to be within their ability to repay prior to the time when, account being taken of the application of power revenues as provided in part (b) of this section, full return of the irrigation allocation is accomplished. Such repayment shall be in accordance with the provisions of the Federal reclamation laws as modified with respect to the Michaud Flats project by the following:

Annual installments.

(a) Payments by the contracting organization shall be scheduled, under a contract conforming to the provisions of this Act, on the basis of uniform charges for like classes of land in each unit of such project which will result in the establishment of annual installments which are, as nearly as practicable, of an amount equal to the ability of such water users to pay in each year having regard to the volume of production of such water users, prices they receive for their farm products, and their production and living costs.

Application of Palisades project revenues.

(b) Net power revenues received from the Palisades project, Idaho, and any developments combined therewith for payout purposes under the provisions of the second sentence of section 2 of the Act of September 30, 1950 (64 Stat. 1083), shall, after payout of said projects is accomplished pursuant to law, be applied (concurrently with continued payments by the water users) to payment of the irrigation allocation of the Michaud Flats project until full repayment of said allocation is accomplished.

Replacement reserve.

(c) The Secretary of the Interior shall require that a replacement reserve of an amount sufficient to meet replacement costs likely to be incurred before the end of the repayment period established under the provisions of part (a) above, shall be established and maintained in connection with such Michaud Flats project.

Fort Hall Indian Reservation, Michaud division.

SEC. 3. (a) To aid in the development of not more than twenty-one thousand acres of irrigable land in the Michaud division of the Fort Hall Indian Reservation, as heretofore authorized by the Act of February 4, 1931 (46 Stat. 1061), and hereby reauthorized for construction, operation, and maintenance without regard to the provisions of said Act, the Secretary is authorized—

Storage capacity reservation.

(1) to reserve for the benefit of those lands when needed, but without prejudice to the interim use thereof for other purposes proper under reclamation laws, eighty-three thousand and nine hundred acre-feet of storage capacity in Palisades Reservoir and forty-seven thousand and seven hundred acre-feet of that portion of the storage capacity in American Falls Reservoir which was set aside for lands in the Michaud area generally by section 3 of the Act of September 30, 1950 (64 Stat. 1083); and

Return of cost.

(2) to account for the return of so much of the cost of said development (including the cost of the aforesaid storage space in Palisades and American Falls Reservoirs) as the Secretary ⊥finds cannot be repaid by the water users on terms substantially similar to those provided in section 2 of this Act, except for the application of the provisions of the Act of July 1, 1932 (47 Stat. 564), and the Act of March 1, 1907 (34 Stat. 1015, 1024), which are specifically made applicable to the project authorized by this section and Indian lands susceptible of irrigation under said project, by application of net power revenues of the Palisades project and any developments combined therewith for payout purposes under the provisions of the second sentence of section 2 of the Act of September 30, 1950, after payout thereof is accomplished pursuant to law.

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25 U. S. C. 386a

64 Stat. 1083.

Conditions.

(b) Construction of works to serve the Michaud division lands shall be undertaken only if, in consideration thereof and of the additional benefits authorized in the preceding sentence of this section, such

appropriate arrangements as may be required in the circumstances are first made, by contract or otherwise, with respect to a water supply for said lands which, among other things—

(1) limit that supply to the yield of the space in Palisades and American Falls Reservoirs as hereinbefore set forth and to that obtained by the pumping of ground water in an average annual amount of not more than twenty-two thousand and four hundred acre-feet; and

Water supply limit

(2) consent to a priority in time and right in such beneficial consumptive uses of the waters of the Snake River, and its tributaries, as are established under the laws of the State of Idaho prior to the date of this Act as against any use of the waters arising on or flowing through the Fort Hall Bottoms within the Fort Hall Indian Reservation, including, but not limited to, the intercepted flow of Ross Fork Creek, the Portneuf River below Pocatello, Big Jimmy Creek, Big Spring Creek, and Clear Creek, for the irrigation of the lands of the Michaud division of the Fort Hall Indian Reservation.

Snake River waters. Priority.

The United States consents to the making of the arrangements aforesaid, and its construction, operation, and maintenance of said works shall constitute a waiver of any of its rights to the use of waters arising on or flowing through the Fort Hall Bottoms within the Fort Hall Indian Reservation, including, but not limited to, the intercepted flow of Ross Fork Creek, the Portneuf River below Pocatello, Big Jimmy Creek, Big Spring Creek, and Clear Creek; for the irrigation of the lands in the Michaud division of the Fort Hall Indian Reservation.

SEC. 4. The Act of February 4, 1931 (46 Stat. 1061), authorizing the development of the Michaud division of the Fort Hall irrigation project is hereby repealed.

Repeal.

SEC. 5. In crediting the net power revenues from the Palisades project to the projects authorized in sections 2 and 3 of this Act, after payout of the Palisades project pursuant to law, said revenues shall be applied ratably to the two projects in proportion to the total construction costs thereof.

Crediting of Palisades project revenues.

SEC. 6. (a) Except as provided in section 3 (b), nothing in this Act shall affect any rights in and to the waters of the Fort Hall Indian Reservation or the Snake River and its tributaries.

(b) Nothing in this Act shall affect the land tenure, allotment, or ownership on the Fort Hall Indian Reservation.

SEC. 7. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, $5,500,000 for construction of the works authorized in section 1 of this Act, and $5,500,000 for construction of the works authorized in section 3 of ⊥this Act, plus such additional amount, if any, as may be required by reason of changes in the costs of construction of the types involved in these projects, as shown by engineering indices. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said works.

Appropriation

⊥1029

Approved, August 31, 1954.

PUBLIC LAW 752 CHAPTER 1170

August 31, 1954
[H. R. 8498]
68 Stat. 1045

AN ACT

Authorizing construction of works to reestablish for the Palo Verde Irrigation District, California, a means of diversion of its irrigation water supply from the Colorado River, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of reestablishing for the Palo Verde Irrigation District, a public agency of the State of California, a means of diverting its irrigation water supply from the Colorado River, Secretary of the Interior is authorized to construct a dam across the Colorado River at or near

Palo Verde Irrigation District, Calif. Diversion dam, etc.

the district's present or former intake capable of diverting water into said intake at an elevation of two hundred eighty-two and three-tenths feet above mean sea level, Bureau of Reclamation datum, and works appurtenant to said dam which are required to carry out the purposes stated.

Contract.

SEC. 2. Prior to commencing construction of the works authorized in section 1 of this Act, the Palo Verde Irrigation District shall have entered into a contract with the United States, in form and content satisfactory to the Secretary, undertaking—

(a) to furnish to the United States for the construction and maintenance of said dam and appurtenant works the use of all lands, easements, rights-of-way, and other interests in land required for said purposes, except those which the United States already has a full and perfect right to use or which lie within the Colorado River Indian Reservation, and to save the United States harmless from all claims arising from the use and occupancy of said lands and interests in land and the operation and maintenance of said dam and appurtenant works;

(b) to operate and maintain said dam and appurtenant works without cost to the United States upon substantial completion thereof as determined by the Secretary; and

(c) to accept title to said dam, appurtenant works, lands, and interests in land upon payment by the district (which payment shall be made over a period of not more than fifty years) of the sum of $1,175,000, and upon repayment of any loan made pursuant to section 4, clause (c), of this Act: *Provided,* That there shall be and is hereby reserved to the United States or there shall be made available to it, as the case may require, the exclusive right to utilize, without cost to it, said dam, appurtenant works, lands, and interests in land for such development, generation, and transmission of electric power and energy as may hereafter be authorized by law: *Provided further,* That in the event it becomes practicable to develop hydroelectric energy at this site, the division of such energy between the United States and the district shall be a matter of negotiation prior to construction of any powerplant.

Authority of Secretary of Interior

SEC. 3. To aid in the construction, operation, and maintenance of the works authorized by this Act, the Secretary shall have the same authority as is given him with respect to the Colorado River front work and levee system by the second sentence of the amendment to the Act of January 21, 1927 (44 Stat. 1010, 1021), which is contained in the Act of June 28, 1946 (60 Stat. 338).

SEC. 4. The Secretary is further authorized—

(a) and directed to remove, or otherwise to nullify the effects of, the temporary rock weir across the Colorado River which was constructed under authority of the First Deficiency Appropriation Act, 1944 (58 Stat. 150, 157);

(b) to construct levees, ditches, and other works required to protect the lands of the Colorado River Indian Reservation upstream from the diversion dam authorized in section 1 of this Act against Colorado River flows of seventy-five thousand cubic feet per second and to provide a means of draining said lands;

(c) to lend to the Palo Verde Irrigation District, upon terms and conditions satisfactory to the Secretary, the sum of not more than $500,000 for the modification of the district's existing works to accommodate them to the works authorized in section 1 of this Act, the sum loaned to be repaid over a period of not more than fifty years from the date of the loan; and

(d) to grant to the United States, upon paying the sum of $50 per acre into the Treasury to the credit of the Colorado River Indian Tribes of the Colorado River Indian Reservation, such

lands, easements, rights-of-way, or other interests in land within the Colorado River Indian Reservation, not exceeding thirty acres in all, as may be required for the construction and maintenance of the works authorized in section 1 of this Act: *Provided*, That nothing contained herein shall preclude said tribes, if they believe that such payment constitutes less than just compensation for the extinguishment or impairment of their interest in the lands and interests in land in question, from maintaining an appropriate action against the United States for such compensation.

Use of water.

SEC. 5. The use of all water diverted for the district through said works from the Colorado River shall be subject to and controlled by the Colorado River Compact, the Boulder Canyon Project Act (45 Stat. 1057), the California Limitation Act (Stats. Cal. 1929, ch. 16), contract dated February 7, 1933, between the United States and Palo Verde Irrigation District, and the Mexican Treaty (Treaty Series 994), and shall be included within and shall in no way increase ⊥the total use of water to which the State of California is entitled as limited by said compact, statutes, contract, and treaty.

43 U. S. C. 617t.

59 Stat. 1219.

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Nonliability.

SEC. 6. Neither the enactment of this Act nor anything contained in it nor any action taken pursuant to it shall be deemed a recognition or admission of any obligation or liability whatsoever to the Palo Verde Irrigation District on the part of the United States.

Nonreimbursable costs.

SEC. 7. All costs incurred under authority of this Act, except those to be repaid by the Palo Verde Irrigation District, shall be nonreimbursable.

Appropriation.

SEC. 8. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $7,099,000.

Approved, August 31, 1954.

PUBLIC LAW 762 CHAPTER 1207

September 1, 1954
[S. 2670]

68 Stat. 1099

AN ACT

To provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes.

Paiute Indians, Utah. Termination of Federal supervision.

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of ⊥this Act is to provide for the termination of Federal supervision over the trust and restricted property of certain tribes and bands of Indians located in the State of Utah and the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of such Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

SEC. 2. For the purposes of this Act—

(a) "Tribe" means any of the following tribes or bands of Indians located in the State of Utah: Shivwits, Kanosh, Koosharem, and Indian Peaks Bands of the Paiute Indian Tribe.

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" means real property, interests therein, or improvements thereon, and include water rights.

(d) "Individual Indian" means any individual Indian whose name appears on the final roll prepared pursuant to section 3 of this Act.

(e) "Tribal property" means any real or personal property, including water rights, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

Tribal rolls.

SEC. 3. Each tribe shall have a period of six months from the date of this Act in which to prepare and submit to the Secretary a proposed

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roll of the members of the tribe living on the date of this Act, which shall be published in the Federal Register. If a tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed role for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within sixty days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this Act.

Tribal property rights.

SEC. 4. Upon publication in the Federal Register of the final roll as provided in section 3 of this Act, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 5 of this Act without the approval of the Secretary. Any contract made in violation of this section shall be null and void.

Property disposition plan

SEC. 5. (a) The Secretary shall, within six months after the publication of each final membership roll, notify the tribe of the period of time during which the tribe may study means of disposition of tribal property, real and personal, under supervision of the United States. Such period shall not be less than three months and not more than two years, including any authorized extension of the original periods. The Secretary is authorized to provide such reasonable assistance as may be requested by the tribe in the formulation of a plan for the disposition or future control and management of the property, including necessary consultations with representatives of Federal departments and agencies, officials of the State of Utah and political subdivisions thereof, and members of the tribe. During such period, the tribe may elect—

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⊥(1) to apply to the Secretary for the transfer to a corporation or other legal entity organized by the tribe in a form satisfactory to the Secretary of title to all or any part of the tribal property, and the Secretary is authorized to make such transfer: *Provided*, That the Secretary of the Interior shall not approve any form of organization that provides for the transfer of stock or an undivided share in corporate assets as compensation for services of agents or attorneys unless such transfer is based upon an appraisal of tribal assets that is satisfactory to the Secretary;

(2) to apply to the Secretary for the transfer to one or more trustees designated by the tribe of title to all or any part of the tribal property, real and personal, the title to be held by such trustee for management or liquidation purposes under terms and conditions prescribed by the tribe, and the Secretary is authorized to make such transfer if he approves the trustees and the terms and conditions of the trust;

(3) to apply to the Secretary for the sale of all or any part of the tribal property, and for the pro rata distribution among the members of the tribe of all or any part of the proceeds of sale or of any other tribal funds, and the Secretary is authorized and directed to sell such property upon such terms and conditions as he deems proper and to make such distribution among the members of the tribe after deducting, in his discretion, reasonable costs of sale and distribution; and

(4) to apply to the Secretary for a division of all or any part of the tribal land into parcels for members and for public purposes,

together with a general plan for the subdivision showing the approximate size, location, and number of parcels, and the Secretary is authorized to issue patents for that purpose.

(b) Title to any tribal property that is not transferred in accordance with the provisions of subsection (a) of this section shall be transferred by the Secretary either to all members of the tribe as tenants in common or to one or more trustees designated by him for the liquidation and distribution of assets among the members of the tribe under such terms and conditions as the Secretary may prescribe: *Provided*, That the trust agreement shall provide for the termination of the trust not more than three years from the date of such transfer unless the term of the trust is extended by order of a judge of a court of record designated in the trust agreement.

Selection of trustees.

(c) When approving or disapproving the selection of trustees in accordance with the provisions of subsection (a) of this section, and when designating trustees pursuant to subsection (b) of this section, the Secretary shall give due regard to the laws of the State of Utah that relate to the selection of trustees: *Provided further*, That the trust ageement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereto to a corporation, other legal entity, or trustee in accordance with the provisions of paragraphs (1) and (2) of subsection (a) of this section, and that the trustees shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary.

Reservation of subsurface rights.

(d) Notwithstanding any other provision of this section, the Secretary is directed to reserve subsurface rights in tribal property from any sale or division of such property, and to require any trustee or trustees to whom title to tribal property is transferred to retain title to the subsurface rights in such property for not less than 10 years.

Personal property control.

SEC. 6. (a) The Secretary is authorized and directed to transfer within two years after the date of this Act to each member of each ⊥tribe unrestricted control of funds or other personal property held in trust for such member by the United States.

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Land restrictions, removal.

(b) All restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor) are hereby removed two years after the date of this Act, and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any valid encumbrance: *Provided*, That the provisions of this subsection shall not apply to subsurface rights in such lands, and the Secretary is directed to transfer such subsurface rights to one or more trustees designated by him for management for a period not less than 10 years. The title to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance two years or more after the date of this Act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of a tribe, the Secretary may—

(1) upon request of any of the owners, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted two years from the date of this Act;

(2) upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof and distribute the proceeds of sale to the owners: *Provided*, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) if the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

Probate, etc.
25 U. S. C. 372 *et seq.*

SEC. 7. (a) The Act of June 25, 1910 (36 Stat. 855), the Act of February 14, 1913 (37 Stat. 678), and other Acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of a tribe who die six months or more after the date of this Act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribe who die six months after the date of this Act.

Federally-owned property.
Transfer.

SEC. 8. The Secretary is authorized, in his discretion, to transfer to a tribe or any member or group of members thereof any federally owned property acquired, withdrawn, or used for the administration of the affairs of the tribe which he deems necessary for Indian use, or to transfer to a public or nonprofit body any such property which he deems necessary to public use and from which members of the tribes will derive benefit.

Taxes.

SEC. 9. No property distributed under the provisions of this Act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this Act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base ⊥value ⊥1103 of the property shall be the value of the property when distributed to the individual, corporation, or other legal activity.

SEC. 10. Nothing contained in this Act shall deprive any Indian tribe, band, or other identifiable group of American Indians of any right, privilege, or benefit granted by the Indian Claims Commission Act of August 13, 1946 (ch. 959, 60 Stat. 1049), including the right to pursue claims against the United States as authorized by said Act.

25 U. S. C. 70 *et seq.*

Prior leases, etc.

SEC. 11. Nothing in this Act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved.

Transfer of functions.

Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency and may transfer such function, in whole or in part, to a State agency with the consent of such agency and the other party or parties to such instrument.

Water rights.

SEC. 12. Nothing in this Act shall abrogate any water rights of a tribe or its members.

Guardians.

SEC. 13. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this Act, the Secretary shall protect the rights of members of a tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians in courts of competent jurisdiction, or by such other means as he may deem adequate.

Advances of funds.

SEC. 14. Pending the completion of the property dispositions provided for in this Act, the funds now on deposit, or hereafter deposited, in the United States Treasury to the credit of the tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary.

Execution of patents, etc.

SEC. 15. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instrumens as may be necessary or appropriate to carry out the provisions

of this Act, or to establish a marketable and recordable title to any property disposed of pursuant to this Act.

Cancellation of indebtedness.

SEC. 16. The Secretary is authorized and directed to cancel any indebtedness payable to the United States by the tribe arising out of any loan made by the United States to such tribe, and any indebtedness, whether payable to the United States or to the tribe, arising out of a loan made from the proceeds thereof to an individual Indian.

Termination of Federal trust.
Publication in FR

SEC. 17. (a) Upon removal of Federal restrictions on the property of each tribe and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

Status as citizens.

(b) Nothing in this Act shall affect the status of the members of the tribe as citizens of the United States, or shall affect their rights, privileges, immunities, and obligations as such citizens.

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Revocation of charter.
25 U. S. C. 461-479.

⊥SEC. 18. (a) Effective on the date of the proclamation provided for in section 17 of this Act, the corporate charter issued pursuant to the Act of June 18, 1934 (48 Stat. 984), as amended, to the Kanosh Band of Paiute Indians of the Kanosh Reservation, Utah, and ratified by the band on August 15, 1943, and to the Shivwits Band of Paiute Indians of the Shivwits Reservation, Utah, and ratified by the band on August 30, 1941, are hereby revoked.

Action under tribal constitution.

(b) Effective on the date of the proclamation provided for in section 17 of this Act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this Act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this Act without the participation of the Secretary or other officer of the United States.

Rules and regulations.

SEC. 19. The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this Act, and may in his discretion provide for tribal referenda on matters pertaining to management or disposition of tribal assets.

SEC. 20. All Acts or parts of Acts inconsistent with this Act are hereby repealed insofar as they affect the tribe or its members. The Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378), shall not apply to the tribe and its members after the date of the proclamation provided for in section 17 of this Act.

25 U. S. C. 461-479.

Separability.

SEC. 21. If any provision of this Act, or the application thereof, to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Irrigation works.
Discontinuance.

SEC. 22. (a) Not later than two years after the date of this Act, the management and operation of irrigation works for Indian lands of the tribe by the Bureau of Indian Affairs shall be discontinued. Upon such discontinuance, the Secretary shall cancel the unpaid irrigation operation and maintenance assessments and reimbursable irrigation construction charges against such lands.

Transfer of title.

(b) The Secretary may transfer the title to such irrigation works to water users, water user's associations organized for such purpose, or to corporations organized, or trustees designated, as provided in section 5.

Educational program.

SEC. 23. Prior to the issuance of a proclamation in accordance with the provisions of section 17 of this Act, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

Approved, September 1, 1954.

September 3, 1954
[H. R. 2233]
68 Stat. 1191

PUBLIC LAW 776 CHAPTER 1260

AN ACT

To provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Cheyenne River Sioux Reservation, South Dakota, and for other purposes.

Oahe Dam, S. Dak. Acquisition of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this agreement between the United States of America and the Sioux Indians of Cheyenne River Reservation in South Dakota, Witnesseth, That this agreement when enacted by Congress and when confirmed and accepted in writing by three-quarters of the adult Indians of the Cheyenne River Reservation in South Dakota, as shown by the tribal rolls of the said reservation, does hereby convey to the United States all tribal, allotted, assigned, and inherited lands or interests within said Cheyenne River Reservation belonging to the Indians of said reservation, which lands are required by the United States for the reservoir to be created by the construction of the dam across the Missouri River in South Dakota, now known as Oahe Dam, including such lands along the margin of said proposed reservoir as may be required by the Chief of Engineers, United States Army, for the construction, protection, development, and use of said reservoir all as described in part II of this agreement, subject, however, to the conditions of this agreement hereinafter set forth: *Provided*, That the effective date of this Act shall be the date when the Secretary of the Interior shall by proclamation declare that this agreement has been ratified and approved in writing by three-quarters of the adult members of said Indians as above defined.

Effective date.

U.S.-Cheyenne River Reservation Indians. Agreement. Payment.

SECTION II. The United States agrees to pay, out of funds appropriated for construction of the Oahe project, as just compensation for all lands and improvements and interests therein (except the agency hospital) conveyed pursuant to section I of this Act; and for the bed of the Missouri River so far as it is the eastern boundary of said Cheyenne River Reservation, the sum of $5,384,014; which sum shall be in final and complete settlement of all claims, rights, and demands of said Tribe or allottees or heirs thereof arising out of the construction of the Oahe project, and shall be deposited to the credit of said Tribe in the Treasury of the United States, to draw interest on the principal thereof at the rate of 4 per centum per annum until expended: *Provided*, That the said Tribal Council with the approval of the Secretary of the Interior shall distribute the sum of $2,250,000 in accordance with the revised appraisal of the Missouri River Basin investigation staff of the Department of the Interior.

Relocation of cemeteries, etc.

SECTION III. The United States further agrees to appropriate, and the Secretary of the Army is authorized and directed to make available from sums so appropriated to be charged against the cost of construction of the Oahe project, further additional appropriations for the special purposes of relocating and reestablishing the Indian cemeteries, tribal monuments and shrines within the taking area for said reservoir described in Part II of this Act as the Tribal Council of said Indian Tribe shall select and designate, which sums shall be expended on the recommendation of the Tribal Council with the approval of the Secretary of the Interior.

Relocation of schools, hospitals, etc.

SECTION IV. The United States further agrees to appropriate, and the Secretary of the Army is authorized and directed to make available from sums so appropriated to be charged against the cost of construction of the Oahe project, further additional appropriations which shall be expended for the relocation and reconstruction of Cheyenne River Agency, relocation and reconstruction of schools, ⊥hospitals, service buildings, agents and employees quarters, roads, bridges and incidental matters or facilities in connection therewith.

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Rehabilitation and relocation of members.

SECTION V. In addition to the sum set out in section II hereof, the United States further agrees that it will appropriate and make available a further sum in the total amount of $5,160,000 which shall likewise be deposited in the Treasury of the United States to the credit of said Indian Tribe to draw interest on the principal thereof at the rate of 4 per centum per annum until expended for the purpose of complete rehabilitation for all members of said Tribe who are residents of the Cheyenne River Sioux Reservation at the time of the passage of this Act, whether or not residing within the taking area of the Oahe Project, and for relocating and reestablishing members of said Tribe who reside upon such lands conveyed to the United States to the extent that the economic, social, religious, and community life of all said Indians shall be restored to a condition not less advantageous to said Indians than the condition that the said Indians now are in: *Provided*, That said fund provided for in this section shall be expended upon the order and direction of the Tribal Council of said Tribe, with the approval of the Secretary of the Interior, for the purposes set forth in this section: *Provided further*, That the authorization contained in section XVI hereof shall remain available for a period not to exceed ten years from the effective date of this Act.

Mineral rights.

SECTION VI. The United States agrees that all mineral rights of whatsoever nature at or below the surface within the taking area as described in Part II hereof shall be and hereby are reserved to said Indian Tribe or individual owners or holders of lands or interests in lands as their interests may appear under section I hereof, subject to future extraction and use by said Tribe or said members thereof or their heirs, successors, or assigns, but also subject to all reasonable regulations which may be imposed by the Chief of Engineers, United States Army, for the protection and use by the United States of the taking area for the purposes of the Oahe Dam and Reservoir Project.

Timber.

SECTION VII. The members of the said Indian Tribe shall have the right without charge to cut and remove all timber and to salvage any portion of the improvements within said taking area either by demolition or removal, and the owners of the land whereon said improvements stand shall have a prior right to such salvage but if said right is waived or not exercised before the date of the notice provided for in section IX hereof, the Tribal Council shall have the right to designate others to demolish or remove said timber and improvements or in the discretion of the Tribal Council, said demolition or removal may be undertaken and carried out by said Tribal Council: *Provided*, That the salvage permitted by this section shall not be construed as "double compensation" as set out in section 2 (b) (2) of Public Law 870, Eighty-first Congress.

64 Stat. 1094.

Livestock protection.

SECTION VIII. The United States and the Indian parties to this agreement recognize that a hazard to livestock is created by the rise and fall of the waters to be impounded in Oahe Reservoir. They also recognize that said hazard is not subject to exact determination at this time, therefore the parties to this agreement agree that all hazards which may develop when the annual rise and fall of Oahe Reservoir can reasonably be determined shall be met by the United States by such protective measures as may be necessary to minimize losses to the Indian parties hereto as to livestock only.

Right to remain and use lands.

SECTION IX. Members of said Indian Tribe now residing within the taking area of the project shall have the right without charge to remain on and use the lands hereby conveyed as said lands are now being used from and after the effective date of this Act to the point in time where the gates of Oahe Dam are to be closed for the impound-
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Public notice.
⊥ment of the water of the Missouri River. The Chief of Engineers shall give public notice one year in advance of the prospective date of the closing of said gates for said purpose and all improvements of whatever nature, all timber of whatever kind or class shall be salvaged or removed or else shall be considered as abandoned by the Tribe or by the individual owners at a date six months subsequent to the date of the notice given by the Chief of Engineers. All individuals and personal property shall remove or be removed from the taking area before the expiration of the one year's notice given by the Chief of Engineers as aforesaid. And the United States shall not be liable for any loss of life or property not so removed from the taking area from and after the expiration of said notice.

Grazing, fishing and hunting rights.

SECTION X. After the Oahe Dam gates are closed and the waters of the Missouri River impounded, the said Indian Tribe and the members thereof shall have the right to graze stock on the land between the level of the reservoir and the taking line described in Part II hereof. The said Tribal Council and the members of said Indian Tribe shall have, without cost, the right of free access to the shoreline of the reservoir including the right to hunt and fish in and on the aforesaid shoreline and reservoir, subject, however, to regulations governing the corresponding use by other citizens of the United States.

Trust patents.

SECTION XI. The United States through the Department of the Interior shall render all aid and assistance to individual members of said Tribe whose lands are within the said taking area for the purposes of purchasing land in the name of the United States for said individuals and the United States shall reconvey said lands under trust patent to the individual owners upon the selection by said owners of the land which they decide to have purchased for them. The said trust patents shall be in form and effect the same as corresponding trust patents heretofore issued to said individuals. The holders of exchange assignments within the said taking area shall be regarded as holders of trust patents and shall be accorded the same privileges and procedures as holders of land held in trust as in this section provided.

The funds for the purchase of such substitute land in all cases shall be provided by the individual applying for such purchase and reconveyance as is herein described, out of monies placed to his credit for the transfer of his lands, improvements and timber under the authority of this agreement and the subsequent Act of Congress herein provided for but no service charge shall be made by the United States in addition to the cost of the substitute allotment. The lands so selected and purchased as substitute allotments may be either within the boundaries of the Cheyenne River Reservation as diminished by this agreement or outside said reservation as may meet the desires of the individuals involved in the several transactions: *Provided*, That no purchase of lands outside the Cheyenne River Reservation shall affect the existing status of such lands, interests or rights therein, or

improvements thereon, with respect to taxation. No prior Act of Congress or Departmental regulation shall be held to be a bar to the full operation of this section, nor shall the Tribal Constitution, ordinance or resolution thereunder be held to be a bar to the full operation of this section, numbered XI.

Tribal claims.

SECTION XII. No part of any expenditure made by the United States under any or all of the provisions of this agreement and the subsequent acts of ratification shall be charged as an offset or counter claim against any tribal claim which has arisen under any treaty, law, or executive order of the United States prior to the effective date of taking of said land as provided for in section I hereof and the payment of Sioux benefits as provided for in section 17 of the said ⊥Act of March 2, 1889 (25 Stat. 888), as amended, shall be continued under the provision of section 14 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), on the basis now in operation without regard to the loss of tribal land within the taking area under the provisions of this agreement.

Sioux benefits, continuance.
⊥1194

48 Stat. 987.
25 U. S. C. 474.

Reimbursement for negotiations.

SECTION XIII. The United States agrees to reimburse the said Tribal Council for expenses incurred by it and caused by, or incident to, the negotiations which have led up to the making and ratification of this agreement: *Provided*, That such reimbursable expenses do not exceed in the aggregate $100,000, of which not more than $50,000 shall be payable as attorney fees. The Tribal Council shall send a statement to the Secretary of the Army setting out said expenses up to the date of the proclamation to be issued by the Secretary of the Interior declaring that the Act of Congress approving this agreement is in full force and effect. The Secretary of the Army shall forward said statement to the Congress for appropriation together with his recommendations.

Report.

Consolidation of interests.

SECTION XIV. Holders of inherited lands or interests in lands may consolidate their interests by and between themselves, and the total proceeds in the hands of any individual held by such consolidation of interests may be used by any individual holder of the same for purchase of substitute lands as in section XI provided.

Rejection of final appraisal.

SECTION XV. The right of any individual member of said Indian Tribe to reject the final appraisal made on his land and improvements shall be preserved and, if any individual does reject such final appraisal, he shall file notice of such rejection by notice in writing to the Chief of Engineers, United States Army, who shall thereupon file a proceeding in the United States District Court of the District of South Dakota as in a condemnation proceeding and jurisdiction is hereby conferred upon said Court to determine, by procedure corresponding to a condemnation proceeding, the value of said land and improvements and the said Tribal Council shall deposit with the clerk of said court the full amount set out in the final appraisal which was previously offered to said individual, which fund shall be used in payment in full or in part of the final judgment of said United States District Court. Cost of such proceedings shall be borne by the United States and the individual involved shall be entitled to counsel at his own expense. In the event the amount of the appraisal so deposited in said Court is not enough to cover the final judgment in said proceeding, the United States shall pay such difference from the fund of $5,384,014 established under section II, hereof, into the hands of the clerk of said Court and thereupon title shall vest in the United States.

Jurisdiction of court.

Appropriation.

SECTION XVI. There is hereby authorized to be appropriated not to exceed $10,644,014, as provided by sections II, V, and XIII, exclusive of the sums to be charged against the cost of construction of the Oahe project as provided in sections III and IV hereof.

PART II

The lands conveyed by this agreement are the following tracts of land all in the State of South Dakota:

Township 5 north, range 30 east, Black Hills meridian

Section 5: Northwest quarter northwest quarter northeast quarter; north half northwest quarter; north half southeast quarter northwest quarter; northwest quarter southwest quarter northwest quarter.

⊥1195 ⊥Section 6: Northeast quarter northeast quarter; northeast quarter southeast quarter northeast quarter; north half northwest quarter northeast quarter; east half northeast quarter northwest quarter.

Township 6 north, range 29 east, Black Hills meridian

Section 1: Lots 1, 2, 5, and 6.

Township 6 north, range 30 east, Black Hills meridian

Section 28: Southwest quarter southeast quarter.

Section 33: Northeast quarter northwest quarter northeast quarter; southeast quarter northwest quarter.

Township 7 north, range 29 east, Black Hills meridian

Section 21: All.

Section 34: Southeast quarter.

Township 7 north, range 30 east, Black Hills meridian

Section 19: Lots 1, 2, and 3.

Section 20: Lot 1.

Section 29: Lots 1, 2, and 3.

Section 30: Northeast quarter northeast quarter; east half southeast quarter northeast quarter; north half northwest quarter northeast quarter; north half northeast quarter northwest quarter.

Section 31: West half northeast quarter; lots 6, 7, and 8.

Section 32: Lot 1.

Township 8 north, range 23 east, Black Hills meridian

Section 1: Lots 5 and 6.

Township 9 north, range 23 east, Black Hills meridian

Section 36: South half southwest quarter and lots 2, 3, and 4.

Township 9 north, range 24 east, Black Hills meridian

Section 12: South half south half northeast quarter; northwest quarter southeast quarter; southeast quarter northeast quarter southwest quarter; east half southwest quarter southwest quarter; lots 2, 3, 4, and 5.

Section 13: West half northwest quarter; northwest quarter southwest quarter; lots 6, 7, 8, and 9.

Section 14: South half; south half northwest quarter; west half southwest quarter northeast quarter; east half southeast quarter northeast quarter.

Section 15: Southeast quarter northeast quarter; south half southeast quarter southeast quarter.

Section 22: North half northeast quarter northeast quarter; northeast quarter southeast quarter; southeast quarter northwest quarter southeast quarter; lots 2 and 3; lot 1 except ten acres in the form of a square situated in the northwest corner thereof.

Section 23: Northwest quarter; northwest quarter northeast quarter; lots 6, 7, 8, and 9.

Section 27: Lots 5, 6, 8, 9, and 10; lot 7, except ten acres in the form of a square, situated in the northwest corner thereof.

Section 28: South half southeast quarter; south half north half southeast quarter.

⊥1196 ⊥Section 31: Southeast quarter northeast quarter; lots 6, 7, 8, and 9.

Section 32: South half south half northwest quarter; lots 8 and 9.

Section 33: Lots 5 and 6.

Section 34: Northwest quarter southeast quarter northwest quarter; lots 1, 2, and 3.

Township 9 north, range 25 east, Black Hills meridian

Section 1: East half southeast quarter; southwest quarter southeast quarter; south half northwest quarter southeast quarter; northeast quarter southwest quarter; north half southeast quarter southwest quarter; southeast quarter southeast quarter southwest quarter; southeast quarter northwest quarter southwest quarter; north half southwest quarter southwest quarter.

Section 2: Southeast quarter southeast quarter.

Section 7: South half southwest quarter northeast quarter; southwest quarter southeast quarter northeast quarter; south half of lot 5; lots 3, 4, 11, and 12.

Section 9: West half southwest quarter; south half southeast quarter southwest quarter; southwest quarter southwest quarter southeast quarter.

Section 10: Southeast quarter southeast quarter; southwest quarter northeast quarter southeast quarter; southeast quarter northwest quarter; southwest quarter southwest quarter southeast quarter; south half southeast quarter southwest quarter; southeast quarter southwest quarter southwest quarter.
southwest quarter southwest quarter.

Section 11: South half southwest quarter southwest quarter; northwest quarter southwest quarter southwest quarter.

Section 12: North half northeast quarter northeast quarter; northeast quarter northwest quarter northeast quarter.

Section 13: South half southwest quarter; south half northwest quarter southwest quarter.

Section 14: Lots 5, 6, and 7.

Section 15: North half; lots 5, 6, 7, 8, and 9.

Section 16: Northwest quarter; north half northeast quarter; lots 5, 6, 7, and 8.

Section 17: Lots 1 and 10.

Section 18: East half northwest quarter; west half northeast quarter; southeast quarter northeast quarter; lots 1, 2, and 3.

Section 23: Lot 3.

Section 24: Lots 6, 7, and 8.

Township 9 north, range 26 east, Black Hills meridian

Section 1: Lot 8 (formerly known as lot 7).

Section 3: Northwest quarter northwest quarter; north half northeast quarter northwest quarter; lot 5.

Section 4: Northwest quarter; north half northeast quarter; north half southeast quarter northeast quarter; north half southwest quarter; southwest quarter southwest quarter; lots 2, 3, and 4.

Section 5: East half; southwest quarter; northeast quarter northwest quarter; east half northwest quarter northwest quarter; north half southeast quarter northwest quarter; southeast quarter southeast quarter northwest quarter.

Section 6: Southeast quarter; southwest quarter northeast quarter; southwest quarter southeast quarter northeast quarter; southwest quarter northwest quarter northeast quarter; southeast quarter southwest quarter; south half northeast quarter southwest quarter; south half of lot 3; lot 4.

⊥Section 7: North half north half northeast quarter; southeast quarter southeast quarter; southeast quarter southwest quarter southeast quarter. ⊥1197

Section 8: Southwest quarter; northeast quarter; north half northwest quarter northwest quarter; east half southeast quarter north-

west quarter; southwest quarter southeast quarter northwest quarter; southwest quarter southeast quarter; lot 1.

Section 9: West half northwest quarter; lots 7, 8, 9, and 10.

Section 10: Lot 5.

Section 17: West half west half; northeast quarter northwest quarter; west half southeast quarter northwest quarter; lots 5, 6, 8, 9, and 10.

Section 18: Southeast quarter; east half southwest quarter; south half northeast quarter; northeast quarter northeast quarter; east half northwest quarter northeast quarter; east half southeast quarter northwest quarter; south half of lot 4.

Section 19: Lots 7, 8, and 9.

Section 20: Lots 4 and 5.

Township 9 north, range 27 east, Black Hills meridian

Section 1: Lots 8 and 11.

Section 2: Lots 9 and 12.

Section 3: Lot 5.

Section 5: Lot 5.

Section 6: Northeast quarter northwest quarter; Lots 8, 9 and 10.

Section 10: North half northeast quarter northeast quarter; north half south half northeast quarter northeast quarter.

Section 11: North half northwest quarter northwest quarter.

Section 12: Lot 2.

Township 9 north, range 28 east, Black Hills meridian

Section 4: Lots 5 and 6.

Section 5: North half northeast quarter; southeast quarter northeast quarter; Lots 6, 7, 8, 10, and 11.

Section 6: Lots 7, 8 and 11.

Section 7: Lots 14 and 15.

Township 9 north, range 29 east, Black Hills meridian

Section 1: All.

Section 2: North half.

Section 3: North half north half.

Section 4: Southeast quarter northeast quarter; Lot 4.

Township 9 north, range 30 east, Black Hills meridian

All.

Township 10 north, range 26 east, Black Hills meridian

Section 10: Southwest quarter southwest quarter; west half southeast quarter southwest quarter; southeast quarter northwest quarter southwest quarter; southwest quarter northeast quarter southwest quarter.

Section 14: South half southwest quarter southeast quarter.

Section 15: West half west half; west half east half west half; east half southeast quarter southwest quarter; west half southwest quarter southeast quarter.

⊥1198 ⊥Section 16: Northeast quarter southeast quarter southeast quarter; south half northeast quarter southeast quarter.

Section 19: East half southeast quarter southeast quarter.

Section 20: West half southwest quarter; south half southwest quarter northwest quarter; southwest quarter southeast quarter southwest quarter.

Section 22: Southeast quarter; east half west half; east half west half northwest quarter; east half northwest quarter southwest quarter; southwest quarter northeast quarter; west half southeast

quarter northeast quarter; southeast quarter southeast quarter northeast quarter.

Section 23: Southeast quarter; east half southwest quarter; southwest quarter southwest quarter; south half northwest quarter southwest quarter; south half southeast quarter northwest quarter; west half northeast quarter; southeast quarter northeast quarter; south half northeast quarter northeast quarter; northwest quarter northeast quarter northeast quarter.

Section 24: North half southwest quarter; southwest quarter southwest quarter; west half southeast quarter southwest quarter; northeast quarter southeast quarter southwest quarter; southwest quarter northwest quarter; west half southeast quarter northwest quarter; southeast quarter northwest quarter northwest quarter; northeast quarter northwest quarter; west half northwest quarter northeast quarter.

Section 25: Southwest quarter; south half southeast quarter; northwest quarter southeast quarter; south half northeast quarter southeast quarter; southwest quarter northeast quarter; south half northwest quarter; northwest quarter northwest quarter; southwest quarter northeast quarter northwest quarter.

Section 26: North half; north half south half; south half southeast quarter; southeast quarter southwest quarter; east half southwest quarter southwest quarter.

Section 27: North half northeast quarter northwest quarter; north half northeast quarter; southeast quarter northeast quarter; east half northeast quarter southeast quarter; south half southwest quarter; south half northwest quarter southwest quarter; southwest quarter northeast quarter southwest quarter.

Section 28: Southeast quarter; east half southwest quarter; east half southwest quarter southwest quarter; northwest quarter southwest quarter; west half northwest quarter; west half southeast quarter northwest quarter; southeast quarter southeast quarter northwest quarter.

Section 29: Northeast quarter southeast quarter; east half northeast quarter; northwest quarter northeast quarter; north half southwest quarter northeast quarter; northeast quarter northwest quarter; northeast quarter southeast quarter northwest quarter.

Section 32: South half southeast quarter; south half northeast quarter southeast quarter; east half southeast quarter southwest quarter.

Section 33: South half south half; southwest quarter northwest quarter southwest quarter; northeast quarter southeast quarter; east half northeast quarter; northwest quarter northeast quarter; east half northeast quarter northwest quarter; northwest quarter northeast quarter northwest quarter; northeast quarter northwest quarter northwest quarter.

Section 34: All.

Section 35: North half; west half southwest quarter southeast quarter; lot 5.

Section 36: Northeast quarter; north half northwest quarter; lots 6 and 7.

⊥Township 10 north, range 27 east, Black Hills meridian ⊥1199

Section 15: Southwest quarter southwest quarter.

Section 16: Southeast quarter; northeast quarter southwest quarter; east half northwest quarter southwest quarter; north half southeast quarter southwest quarter; northeast quarter southwest quarter southwest quarter; southwest quarter northeast quarter; southwest quarter northwest quarter northeast quarter; southeast quarter northeast quarter northwest quarter; west half northeast quarter northwest quarter; east half west half northwest quarter; southeast quarter northwest quarter.

Section 21: North half northeast quarter; southeast quarter northeast quarter; east half northeast quarter southeast quarter; northeast quarter southeast quarter southeast quarter.

Section 22: South half southeast quarter; south half northwest quarter southeast quarter; northwest quarter northwest quarter southeast quarter; north half southwest quarter; southeast quarter southwest quarter; east half southwest quarter southwest quarter; northwest quarter southwest quarter southwest quarter; southwest quarter southwest quarter northeast quarter; southeast quarter southeast quarter northwest quarter; west half southeast quarter northwest quarter; west half northwest quarter.

Section 23: Southwest quarter southwest quarter; northwest quarter southeast quarter southwest quarter.

Section 24: Southeast quarter northeast quarter; west half northeast quarter northeast quarter; southeast quarter northeast quarter northeast quarter; east half southwest quarter northeast quarter; northwest quarter southwest quarter northeast quarter; northeast quarter southeast quarter; east half southeast quarter southeast quarter; northwest quarter southeast quarter southeast quarter.

Section 25: Southeast quarter northeast quarter; east half northeast quarter southeast quarter; west half southwest quarter southeast quarter; south half southwest quarter; northwest quarter southwest quarter; southwest quarter northeast quarter southwest quarter.

Section 26: South half; south half north half; south half northeast quarter northeast quarter; southeast quarter northwest quarter northeast quarter; southwest quarter northeast quarter northwest quarter; northwest quarter northwest quarter.

Section 27: Northeast quarter; north half northeast quarter northwest quarter; northeast quarter northwest quarter northwest quarter; northeast quarter southeast quarter; northeast quarter northwest quarter southeast quarter; northeast quarter southeast quarter southeast quarter; south half south half southeast quarter; southeast quarter southeast quarter southwest quarter.

Section 28: Southwest quarter; southwest quarter northwest quarter; west half southeast quarter northwest quarter.

Section 29: East half southeast quarter; northwest quarter southeast quarter; southeast quarter southwest quarter southeast quarter; south half northeast quarter; northeast quarter southeast quarter northwest quarter; southeast quarter northeast quarter northwest quarter; southwest quarter southeast quarter southwest quarter; south half southwest quarter southwest quarter; northwest quarter southwest quarter southwest quarter.

Section 30: South half southeast quarter; east half southeast quarter southwest quarter; southwest quarter southeast quarter southwest quarter; south half of lot 4.

Section 31: Northeast quarter; east half northwest quarter; east half southwest quarter; north half north half southeast quarter; lots 1 and 2.

⊥1200 ⊥Section 32: North half; west half southwest quarter; northeast quarter southwest quarter; lots 3, 4, and 5.

Section 33: Northwest quarter; south half northeast quarter; south half north half northeast quarter; northwest quarter northwest quarter northeast quarter; northwest quarter southwest quarter; lots 4, 5, 6, 7, and 8.

Section 34: Northeast quarter; north half northeast quarter southeast quarter; southeast quarter northwest quarter; south half north half northwest quarter; northeast quarter northeast quarter northwest quarter; lots 3, 4, and 5.

Section 35: Northwest quarter; north half northeast quarter; southwest quarter northeast quarter; northeast quarter southwest quarter;

north half northwest quarter southwest quarter; north half southeast quarter southwest quarter; northwest quarter southeast quarter; north half southwest quarter southeast quarter.

Section 36: Northwest quarter; southeast quarter; south half northeast quarter; northwest quarter northeast quarter; south half northeast quarter northeast quarter.

Township 10 north, range 28 east, Black Hills meridian

Section 1: North half southwest quarter southwest quarter; south half northwest quarter southwest quarter.

Section 2: South half; south half north half; lots 3 and 4; the south twenty acres of lot 2.

Section 3: Southeast quarter; south half northeast quarter; south half southeast quarter southwest quarter; west half southwest quarter; southwest quarter northwest quarter; lots 1 and 2.

Section 4: South half; south half north half; lot 4; the south 20 acres of lot 2; the south twenty acres of lot 3.

Section 5: All.

Section 6: South half northeast quarter; northeast quarter southeast quarter; north half southeast quarter southeast quarter; lots 1 and 2.

Section 8: North half northeast quarter; north half south half northeast quarter; southeast quarter southeast quarter northeast quarter; east half northeast quarter northwest quarter; northeast quarter southeast quarter northwest quarter; east half east half southeast quarter.

Section 9: All.

Section 10: All.

Section 11: All.

Section 12: South half; south half north half; south half north half north half.

Section 13: East half northeast quarter southwest quarter; west half northwest quarter southeast quarter.

Section 14: Lots 2, 3, and 4.

Section 15: All.

Section 16: All.

Section 17: East half east half northeast quarter; east half northeast quarter southeast quarter; southwest quarter northeast quarter southeast quarter; southeast quarter southeast quarter; southeast quarter northwest quarter southeast quarter; east half southwest quarter southeast quarter; southwest quarter southwest quarter southeast quarter; southeast quarter southeast quarter southwest quarter.

Section 19: East half southwest quarter; west half southeast quarter; west half east half southeast quarter; southwest quarter southwest quarter northeast quarter; east half southeast quarter northwest ⊥quarter; south half northeast quarter northwest quarter; ⊥1201
northwest quarter northeast quarter northwest quarter; lots 3 and 4; lot 2 except the east twenty acres thereof.

Section 20: Northeast quarter; west half southeast quarter; east half northeast quarter northwest quarter; lots 1 and 2.

Section 21: All.

Section 24: Lots 1, 2, and 3.

Section 29: West half east half; east half east half northwest quarter; east half northeast quarter southwest quarter; south half southwest quarter; southwest quarter northwest quarter southwest quarter; lots 1, 2, 3, and 4.

Section 30: West half east half; east half west half; west half east half northeast quarter; east half southeast quarter; lots 1, 2, 3, and 4.

Section 31: East half.

Section 32: All.
Section 33: All.

Township 10 north, range 29 east, Black Hills meridian

Section 1: East half southeast quarter; east half northwest quarter southeast quarter; southeast quarter northeast quarter; east half southwest quarter northeast quarter; northwest quarter southwest quarter northeast quarter; lots 1 and 2; east half of lot 3.

Section 4: Southwest quarter southwest quarter; south half northwest quarter southwest quarter.

Section 5: East half southwest quarter northeast quarter; west half southeast quarter northeast quarter; east half northwest quarter southeast quarter; west half northeast quarter southeast quarter; southeast quarter northeast quarter southeast quarter; southeast quarter southeast quarter; west half southwest quarter; west half southeast quarter southwest quarter; southwest quarter southwest quarter northwest quarter.

Section 6: Southeast quarter northwest quarter; northeast quarter southwest quarter; north half southeast quarter southwest quarter; southeast quarter southeast quarter southwest quarter; lots 4 and 5; north half of lot 6.

Section 7: Northeast quarter northeast quarter northwest quarter; south half southeast quarter northwest quarter; lot 2; south half of lot 1.

Section 8: East half; northwest quarter; northeast quarter southwest quarter.

Section 9: West half west half; west half east half southwest quarter; northeast quarter northeast quarter southwest quarter; north half northwest quarter southeast quarter; southeast quarter northwest quarter; south half northeast quarter northwest quarter; southwest quarter southwest quarter northeast quarter.

Section 12: East half southeast quarter; northwest quarter southeast quarter; northeast quarter southwest quarter southeast quarter; northeast quarter northeast quarter southwest quarter; south half southwest quarter northeast quarter; north half northeast quarter northeast quarter; southeast quarter northeast quarter northeast quarter; southeast quarter northwest quarter.

Section 13: Northeast quarter northeast quarter.

Section 16: North half northwest quarter northwest quarter; northwest quarter northeast quarter northwest quarter.

Section 17: West half; west half east half; northeast quarter northeast quarter; west half southeast quarter northeast quarter; west half northeast quarter southeast quarter.

⊥1202 ⊥Section 18: North half southeast quarter; southwest quarter southeast quarter; east half southeast quarter southeast quarter; east half southwest quarter; lots 3 and 4.

Section 19: West half northeast quarter northwest quarter; lots 1 and 3.

Section 20: East half west half; west half east half; east half southeast quarter; southeast quarter northeast quarter; south half northeast quarter northeast quarter; northwest quarter northeast quarter northeast quarter.

Section 21: South half; south half northwest quarter; south half north half northwest quarter; west half southwest quarter northeast quarter; southeast quarter southwest quarter northeast quarter; southwest quarter southeast quarter northeast quarter.

Section 22: Northwest quarter southwest quarter.

Section 24: South half southeast quarter; northwest quarter southeast quarter; west half northeast quarter southeast quarter; southeast quarter northeast quarter southeast quarter; northeast quarter

southeast quarter southwest quarter; east half northeast quarter southwest quarter; southeast quarter southeast quarter northwest quarter; southwest quarter southwest quarter northeast quarter.

Section 25: East half east half; east half west half southeast quarter; southwest quarter northeast quarter.

Section 27: Southwest quarter northwest quarter northwest quarter.

Section 28: West half; north half northeast quarter; southwest quarter northeast quarter; west half northwest quarter southeast quarter; south half southeast quarter.

Section 29: Southeast quarter; east half northeast quarter; southwest quarter northeast quarter; east half northwest quarter northeast quarter; east half west half northwest quarter northeast quarter; southeast quarter southwest quarter.

Section 30: Lots 2 and 5.

Section 32: Lot 3.

Section 33: North half northwest quarter; northeast quarter; east half southeast quarter; east half northwest quarter southeast quarter.

Section 34: South half; south half northwest quarter; south half north half northwest quarter; west half southwest quarter northeast quarter.

Section 35: South half.

Section 36: South half south half; northeast quarter southeast quarter; east half northwest quarter southeast quarter; southeast quarter southwest quarter northeast quarter; south half southeast quarter northeast quarter; northeast quarter southeast quarter northeast quarter; north half northeast quarter northeast quarter.

Township 10 north, range 30 east, Black Hills meridian

Section 1: South half northwest quarter; southwest quarter northeast quarter; lots 1, 2, 3, 4, and 5.

Section 2: South half northeast quarter; west half southeast quarter; west half west half east half southeast quarter; south half southwest quarter; south half northeast quarter southwest quarter; lots 1 and 2.

Section 3: East half southeast quarter southeast quarter; southwest quarter southwest quarter southeast quarter.

Section 4: Southwest quarter; south half northwest quarter; southwest quarter southeast quarter; south half northwest quarter southeast quarter; northwest quarter northwest quarter southeast quarter; east half southwest quarter northeast quarter; lot 4, except ten acres, in the form of a square, situated in the northeast corner of said lot 4.

⊥Section 5: East half southeast quarter; south half southwest ⊥1203
quarter southeast quarter; southeast quarter northeast quarter; northeast quarter southwest quarter northeast quarter; lot 1; east half of lot 2.

Section 6: West half southeast quarter; east half southwest quarter; west half southwest quarter northeast quarter; southeast quarter northwest quarter; lots 4, 5, 6, and 7; ten acres, in the form of a square, situated in the southwest corner of lot 3.

Section 7: All.

Section 8: East half east half; north half northwest quarter northeast quarter; southeast quarter northwest quarter northeast quarter; east half southwest quarter northeast quarter; east half northwest quarter southeast quarter; southwest quarter northwest quarter southeast quarter; southwest quarter southeast quarter; southeast quarter southwest quarter; west half southwest quarter; west half northeast quarter southwest quarter; southeast quarter northeast quarter southwest quarter; southwest quarter northwest quarter; west half southeast quarter northwest quarter; west half northwest

quarter northwest quarter; southeast quarter northwest quarter northwest quarter.

Section 9: West half; southeast quarter; south half south half northeast quarter.

Section 10: South half southeast quarter; southwest quarter; south half southwest quarter northwest quarter; southeast quarter northwest quarter; southeast quarter northeast quarter northwest quarter; east half northeast quarter; southwest quarter northeast quarter; east half northwest quarter northeast quarter; southwest quarter northwest quarter northeast quarter.

Section 11: North half north half; southwest quarter northeast quarter; north half southwest quarter; lots 1, 2, 3, and 4.

Section 14: All.

Section 15: All.

Section 16: All.

Section 17: All.

Section 18: East half; east half west half; lot 1.

Section 19: Northeast quarter; east half northeast quarter northwest quarter; northwest quarter northeast quarter northwest quarter; northeast quarter southeast quarter northwest quarter; east half southeast quarter; east half northwest quarter southeast quarter; west half southeast quarter southwest quarter; lot 4.

Section 20: All.

Section 29: All.

Section 30: All.

Section 31: All.

Township 10 north, range 31 east, Black Hills meridian

All.

Township 11 north, range 28 east, Black Hills meridian

Section 27: Southwest quarter; south half southeast quarter; south half north half southeast quarter; southeast quarter northwest quarter; east half southwest quarter northwest quarter; south half northeast quarter northwest quarter; southeast quarter northwest quarter northwest quarter.

Section 28: East half southeast quarter; northeast quarter northwest quarter southeast quarter; east half southwest quarter northeast quarter; west half southeast quarter northeast quarter; southeast quarter southeast quarter northeast quarter.

⊥1204 ⊥Section 29: Southwest quarter; west half west half southeast quarter; southwest quarter northwest quarter; southwest quarter southeast quarter northwest quarter; southwest quarter northwest quarter northwest quarter.

Section 30: East half east half northeast quarter; northeast quarter northeast quarter southeast quarter.

Section 31: West half southeast quarter; south half southeast quarter southeast quarter; northwest quarter southeast quarter southeast quarter; northeast quarter southwest quarter; north half southeast quarter southwest quarter; southeast quarter southeast quarter southwest quarter; lots 2 and 3; north half of lot 4; ten acres, in the form of a square, situated in the southwest corner of lot 1.

Section 32: Southeast quarter; south half northeast quarter; south half northwest quarter northeast quarter; northwest quarter northwest quarter northeast quarter; east half west half; northwest quarter northwest quarter; east half southwest quarter northwest quarter; east half west half southwest quarter; southwest quarter southwest quarter southwest quarter.

Section 33: Southwest quarter southwest quarter; northeast quarter northeast quarter northeast quarter.

Section 34: East half; east half west half; north half northwest quarter northwest quarter.

Section 35: West half southwest quarter; west half east half southwest quarter; southeast quarter southeast quarter southwest quarter; west half southwest quarter northwest quarter; southeast quarter southwest quarter northwest quarter.

Section 36: East half northeast quarter northeast quarter; southwest quarter northeast quarter northeast quarter; southeast quarter northeast quarter; northwest quarter northeast quarter southeast quarter; east half east half southeast quarter.

Township 11 north, range 29 east, Black Hills meridian

Section 23: Southeast quarter southeast quarter southeast quarter.

Section 24: Southwest quarter southwest quarter southwest quarter; east half southwest quarter southeast quarter; southwest quarter southeast quarter southeast quarter.

Section 25: Southwest quarter; south half northwest quarter; northwest quarter northwest quarter; south half northeast quarter northwest quarter; northwest quarter northwest quarter southeast quarter; southwest quarter southeast quarter; west half southeast quarter southeast quarter; southeast quarter southeast quarter southeast quarter.

Section 26: North half northeast quarter southeast quarter; east half east half northeast quarter; southwest quarter southeast quarter northeast quarter.

Section 31: West half southwest quarter southeast quarter; southwest quarter northwest quarter southeast quarter; ten acres, in the form of a square, situated in the southwest corner of lot 1; lot 2 except ten acres, in the form of a square, situated in the northeast corner of said lot 2.

Section 36: East half; east half east half southwest quarter; east half southeast quarter northwest quarter; northeast quarter northwest quarter; north half northwest quarter northwest quarter.

⊥Township 11 north, range 30 east, Black Hills meridian ⊥1205

Section 1: All.

Section 2: South half; southwest quarter northeast quarter; southeast quarter northwest quarter; east half southwest quarter northwest quarter; lots 1, 2, and 5; east half of lot 3.

Section 11: East half east half; east half west half east half; west half southwest quarter northeast quarter; southwest quarter southwest quarter southeast quarter.

Section 12: All.

Section 13: All.

Section 14: East half northeast quarter; northwest quarter northeast quarter; east half southwest quarter northeast quarter; east half northeast quarter northwest quarter; northeast quarter southeast quarter; east half northwest quarter southeast quarter.

Section 23: East half southeast quarter northeast quarter.

Section 24: Northwest quarter; east half southwest quarter; west half southeast quarter; lots 1, 2, 3, and 4.

Section 25: East half southeast quarter; southeast quarter northeast quarter; northwest quarter northeast quarter; north half southwest quarter northeast quarter; southeast quarter southwest quarter northeast quarter; lot 1.

Section 26: Southeast quarter southwest quarter; east half southwest quarter southwest quarter.

Section 29: West half southeast quarter southeast quarter.

Section 31: Lots 2, 3, and 4; lot 1 except ten acres, in the form of a square, situated in the northeast corner of said lot 1.

Section 32: East half northeast quarter; east half southwest quarter northeast quarter; west half east half southeast quarter; east half west half southeast quarter.

Section 35: Southeast quarter; west half northeast quarter; west half southeast quarter northeast quarter; east half northeast quarter southwest quarter; east half southeast quarter northwest quarter; northeast quarter northwest quarter.

Section 36: Southeast quarter; east half east half northeast quarter; west half southwest quarter; south half southeast quarter southwest quarter.

Township 11 north, range 31 east, Black Hills meridian

All.

Township 12 north, range 30 east, Black Hills meridian

Section 1: Northeast quarter southeast quarter; east half southwest quarter southeast quarter; lot 5.

Section 2: Southwest quarter; southwest quarter southeast quarter; west half southeast quarter southeast quarter; southwest quarter northwest quarter southeast quarter; west half southwest quarter northwest quarter; lot 4.

Section 3: All.

Section 4: East half southwest quarter northwest quarter; northwest quarter southeast quarter northwest quarter; lots 1, 2, and 3; east half of lot 4.

Section 10: East half; northeast quarter northeast quarter northwest quarter; southeast quarter southeast quarter northwest quarter.

Section 11: All.

Section 12: All.

Section 13: All.

⊥1206 ⊥Section 14: North half; northeast quarter southwest quarter; northeast quarter northwest quarter southwest quarter; west half southeast quarter; lots 1 and 2.

Section 22: South half southwest quarter; southwest quarter southwest quarter southeast quarter.

Section 23: Northwest quarter; northeast quarter southwest quarter; west half east half; southeast quarter southeast quarter; lots 1, 2, and 3.

Section 24: All.

Section 25: All.

Section 26: Southwest quarter; south half northwest quarter; south half northwest quarter northwest quarter; northwest quarter northwest quarter northwest quarter; northeast quarter; west half southeast quarter; lots 1 and 2.

Section 27: East half; east half west half; northwest quarter southwest quarter.

Section 34: Northeast quarter northwest quarter; northwest quarter northwest quarter northeast quarter; northeast quarter northeast quarter northeast quarter.

Section 35: Northwest quarter; west half east half; east half east half southwest quarter; lots 1, 2, 3, and 4.

Section 36: All.

Township 12 north, range 31 east, Black Hills meridian

Section 1: Southwest quarter; west half southeast quarter; southwest quarter northeast quarter; southwest quarter southwest quarter northwest quarter; lots 1, 2, 3, 5, 6, and 7.

Section 2: South half southeast quarter; northeast quarter southeast quarter; south half north half; south half south half southwest

quarter; northeast quarter southeast quarter southwest quarter; northwest quarter southwest quarter southwest quarter; southwest quarter northwest quarter southwest quarter; north half northwest quarter southwest quarter; lots 3, 4, 5, and 6.

Section 3: All.

Section 4: All.

Section 5: All.

Section 6: Southeast quarter northeast quarter; northwest quarter southeast quarter; southeast quarter southwest quarter; southwest quarter northwest quarter; lots 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14.

Section 7: All.

Section 10: All.

Section 11: All.

Section 12: Northwest quarter northeast quarter; northeast quarter northwest quarter; lots 1, 2, 3, 4, and 5.

Township 13 north, range 30 east, Black Hills meridian

Section 1: Lot 1.

Section 31: Southeast quarter northwest quarter northeast quarter; northeast quarter southwest quarter northeast quarter; northwest quarter southeast quarter northeast quarter; south half southeast quarter northeast quarter; north half northeast quarter southeast quarter; southeast quarter northeast quarter southeast quarter.

Section 32: South half; south half south half northwest quarter.

Section 33: West half southeast quarter; southeast quarter southeast quarter; southwest quarter northeast quarter southeast quarter; west half southwest quarter northeast quarter; southwest quarter southwest quarter.

⊥Section 34: Southwest quarter southwest quarter.

Section 36: Southeast quarter; east half southwest quarter; east half west half southwest quarter; southwest quarter northeast quarter; west half southeast quarter northeast quarter. ⊥1207

Township 13 north, range 31 east, Black Hills meridian

Section 3: Southwest quarter northwest quarter; lots 3, 4, and 5.

Section 4: All.

Section 5: South half northeast quarter; east half northeast quarter southeast quarter; lots 1 and 2.

Section 6: North half southeast quarter; north half south half southeast quarter; northeast quarter southeast quarter southwest quarter; southeast quarter northeast quarter southwest quarter; north half south half northwest quarter; lots 3 and 4.

Section 8: Southeast quarter southeast quarter; east half northeast quarter southeast quarter; southeast quarter southwest quarter southeast quarter.

Section 9: Southwest quarter; east half northwest quarter; west half northeast quarter; lot 4.

Section 16: All.

Section 17: Southeast quarter southeast quarter; east half northeast quarter southeast quarter; east half southeast quarter northeast quarter; northeast quarter northeast quarter; east half northwest quarter northeast quarter.

Section 20: East half east half northeast quarter.

Section 21: Northwest quarter; east half southwest quarter; west half west half southeast quarter; lots 2, 4, 6, and 7.

Section 27: All.

Section 28: West half northeast quarter; east half northeast quarter northwest quarter; east half northwest quarter southeast quarter; northeast quarter southeast quarter; north half southeast quarter

southeast quarter; southeast quarter southeast quarter southeast quarter; lots 1 and 2.

Section 30: South half southeast quarter southeast quarter.

Section 31: South half; northeast quarter northeast quarter.

Section 32: Southwest quarter; south half northwest quarter; south half northwest quarter northwest quarter; northwest quarter northwest quarter northwest quarter; southwest quarter northeast quarter; northwest quarter southeast quarter; south half southeast quarter; west half northeast quarter southeast quarter; southeast quarter northeast quarter southeast quarter.

Section 33: West half southwest quarter southwest quarter; southeast quarter southwest quarter southwest quarter; southeast quarter; southwest quarter southeast quarter northeast quarter; south half southwest quarter northeast quarter; northwest quarter southwest quarter northeast quarter.

Section 34: Southwest quarter southwest quarter; southwest quarter northwest quarter southwest quarter; north half southeast quarter southeast quarter; southeast quarter southeast quarter southeast quarter; north half northwest quarter southeast quarter; southeast quarter northwest quarter southeast quarter; north half southeast quarter northwest quarter; southeast quarter southeast quarter northwest quarter; northeast quarter southwest quarter northwest quarter; north half northwest quarter northwest quarter; southeast quarter northwest quarter northwest quarter; lots 1, 2, and 3.

Section 35: All.

⊥1208 ⊥Township 14 north, range 30 east, Black Hills meridian

Section 36: East half southeast quarter; south half southeast quarter northeast quarter; south half northwest quarter southeast quarter; north half southwest quarter southeast quarter; southeast quarter southwest quarter southeast quarter; south half north half southwest quarter; north half southeast quarter southwest quarter; northeast quarter southwest quarter southwest quarter.

Township 14 north, range 31 east, Black Hills meridian

Section 1: All.

Section 2: South half northeast quarter; east half southeast quarter northwest quarter; southwest quarter southeast quarter northwest quarter; south half southwest quarter northwest quarter; north half south half; southwest quarter southwest quarter; west half southeast quarter southwest quarter; northeast quarter southeast quarter southwest quarter; north half southeast quarter southeast quarter southwest quarter; southwest quarter southeast quarter southeast quarter southwest quarter; southwest quarter southeast quarter; lots 1, 2, 5, and 6.

Section 3: South half; south half south half northwest quarter; south half southwest quarter northeast quarter; southeast quarter northeast quarter.

Section 4: South half south half northeast quarter; south half northwest quarter; lots 3 and 4.

Section 5: Lot 1 except the south 20 acres thereof.

Section 10: Northwest quarter; northeast quarter southwest quarter; east half northwest quarter southwest quarter; north half north half southeast quarter.

Section 11: Northwest quarter; east half southwest quarter; north half northwest quarter southwest quarter; southeast quarter northwest quarter southwest quarter; west half southwest quarter northeast quarter; northwest quarter northeast quarter; lots 1, 3, 4, 5, and 6.

Section 14: East half northwest quarter; southwest quarter northwest quarter; west half southwest quarter; lots 1, 2, 3, and 4.

Section 15: East half southeast quarter; east half southwest quarter southeast quarter; southwest quarter southwest quarter southeast quarter; south half southeast quarter southwest quarter.

Section 22: North half northeast quarter; north half northeast quarter northwest quarter.

Section 23: All.

Section 26: All.

Section 27: East half; southeast quarter northwest quarter; south half northeast quarter northwest quarter; east half east half southwest quarter; east half west half east half southwest quarter; southwest quarter southwest quarter southwest quarter.

Section 28: South half southeast quarter.

Section 31: South half southwest quarter; northwest quarter southwest quarter; south half southwest quarter northwest quarter; east half northeast quarter southeast quarter; southeast quarter southeast quarter northeast quarter.

Section 32: North half southwest quarter; south half southwest quarter northwest quarter; west half southeast quarter; southeast quarter southeast quarter.

Section 33: Northeast quarter; east half northwest quarter; north half northwest quarter northwest quarter; south half southeast quarter; southeast quarter southwest quarter; south half southwest quarter southwest quarter.

Section 34: All.

Section 35: All.

⊥Township 15 north, range 30 east, Black Hills meridian ⊥1209

Section 1: Lot 1 except the south twenty acres thereof.

Township 15 north, range 31 east, Black Hills meridian

Section 3: Southwest quarter northwest quarter; northwest quarter southwest quarter; southeast quarter southwest quarter; north half southwest quarter southwest quarter; east half southeast quarter southwest quarter southwest quarter; lots 1, 2, 3, 4, and 5.

Section 4: East half southeast quarter northeast quarter; east half west half southeast quarter northeast quarter; east half northeast quarter southeast quarter; northeast quarter northwest quarter northeast quarter southeast quarter; lot 1; lot 2 except the south twenty acres thereof.

Section 6: Lot 1 except the south twenty acres thereof; lot 2 except the south twenty acres thereof; lot 3 except the south twenty acres thereof; lot 4 except the south twenty acres thereof.

Section 10: Northeast quarter northwest quarter; east half east half northwest quarter northwest quarter; east half southwest quarter northeast quarter; northeast quarter northeast quarter southeast quarter; lots 1 and 2.

Section 11: Lots 1, 2, 3, and 4.

Section 13: West half southwest quarter; west half southeast quarter southwest quarter; west half east half southeast quarter southwest quarter; lot 2.

Section 14: Southeast quarter southeast quarter; northwest quarter southwest quarter; north half southwest quarter southwest quarter.

Section 15: North half southeast quarter; north half south half southeast quarter; southeast quarter northeast quarter southwest quarter; northeast quarter southeast quarter southwest quarter.

Section 24: South half southwest quarter.

Section 25: All.

Section 26: North half; east half southeast quarter; northeast quarter southwest quarter southeast quarter; east half northwest quarter southeast quarter; northwest quarter northwest quarter southeast quarter; north half northeast quarter southwest quarter; southwest quarter northeast quarter southwest quarter.

Section 27: South half northeast quarter northeast quarter; north half southeast quarter northeast quarter.

Section 32: South half southeast quarter southeast quarter.

Section 33: South half southwest quarter southwest quarter.

Section 35: East half northeast quarter; southeast quarter; east half southwest quarter; east half southwest quarter southwest quarter; southeast quarter northwest quarter southwest quarter.

Section 36: Northwest quarter; northwest quarter southwest quarter; lots 1, 2, and 3.

Township 16 north, range 28 east, Black Hills meridian

Section 13: South half southwest quarter southeast quarter.

Section 23: Northeast quarter southeast quarter; east half northwest quarter southeast quarter; southeast quarter northeast quarter; south half southwest quarter northeast quarter; south half northeast quarter northeast quarter; northeast quarter southwest quarter northeast quarter.

Section 24: North half northwest quarter; northeast quarter; north half southeast quarter; north half south half southeast quarter; north half southeast quarter southwest quarter; northeast quarter southwest quarter southwest quarter.

⊥1210 ⊥Township 16 north, range 29 east, Black Hills meridian.

Section 1: Southeast quarter; south half southwest quarter; southwest quarter northwest quarter southwest quarter.

Section 2: South half; south half southwest quarter northeast quarter; south half southeast quarter northwest quarter; southwest quarter northwest quarter; lot 4.

Section 3: South half southeast quarter; south half north half southeast quarter; northeast quarter northeast quarter southeast quarter; east half southeast quarter northeast quarter; east half lot 1.

Section 7: South half southeast quarter southeast quarter.

Section 8: South half south half southwest quarter.

Section 9: Northeast quarter southeast quarter; northeast quarter northwest quarter southeast quarter.

Section 10: East half.

Section 11: North half; north half south half; southwest quarter southwest quarter.

Section 12: North half; southwest quarter; west half southeast quarter; west half east half southeast quarter; northeast quarter northeast quarter southeast quarter.

Section 13: Northwest quarter northeast quarter; north half southwest quarter northeast quarter; northeast quarter northwest quarter; north half southeast quarter northwest quarter; west half northwest quarter; west half west half southwest quarter; southeast quarter southwest quarter southwest quarter.

Section 14: East half northeast quarter; west half northwest quarter.

Section 15: East half northeast quarter; southwest quarter northeast quarter; southeast quarter northwest quarter; southwest quarter; west half southeast quarter; west half east half southeast quarter.

Section 16: South half north half; west half northwest quarter

northwest quarter; southeast quarter northwest quarter northwest quarter; northeast quarter northeast quarter; southeast quarter northwest quarter northeast quarter; north half southwest quarter; east half southwest quarter southwest quarter; east half southeast quarter southwest quarter; southeast quarter.

Section 17: East half northwest quarter; northwest quarter northeast quarter; north half southwest quarter northeast quarter; south half south half northeast quarter; north half northeast quarter southeast quarter; northwest quarter southeast quarter; north half southwest quarter southeast quarter; west half southwest quarter; northeast quarter southwest quarter; north half southeast quarter southwest quarter.

Section 18: East half east half; east half southwest quarter southeast quarter; south half northeast quarter southwest quarter; lot 4.

Section 19: North half northeast quarter; southeast quarter northeast quarter; north half northeast quarter southeast quarter; southeast quarter northeast quarter southeast quarter; northeast quarter southeast quarter southeast quarter; east half northwest quarter; northwest quarter northeast quarter southwest quarter; lots 1, 2 and 3.

Section 20: Northwest quarter; north half northeast quarter; southeast quarter northeast quarter; west half southwest quarter northeast quarter; northwest quarter northwest quarter southeast quarter; north half southwest quarter; north half southwest quarter southwest quarter; southeast quarter southwest quarter southwest quarter.

Section 21: Northeast quarter; northwest quarter southeast quarter; west half northeast quarter southeast quarter.

Section 22: Northwest quarter northwest quarter; northwest quarter northeast quarter northwest quarter; northwest quarter southwest quarter northwest quarter.

Section 24: West half northwest quarter.

⊥Township 16 north, range 30 east, Black Hills meridian ⊥1211

Section 1: Southwest quarter; south half northwest quarter; south half southeast quarter; northwest quarter southeast quarter; southwest quarter northeast quarter southeast quarter; lots 3 and 4; west half of lot 2.

Section 2: All.

Section 3: All.

Section 4: Southeast quarter; south half northeast quarter; south half southwest quarter; south half north half southwest quarter.

Section 5: South half; south half northwest quarter; south half south half northeast quarter; northwest quarter southwest quarter northeast quarter; lot 4; the south twenty acres of lot 3.

Section 6: Southeast quarter; east half southwest quarter; south half northeast quarter; south half southeast quarter northwest quarter; northeast quarter southeast quarter northwest quarter; lots 1, 2, 6 and 7; east half of lot 3; south half of lot 5.

Section 7: Northeast quarter; east half northwest quarter; east half southeast quarter; northwest quarter southeast quarter; east half southwest quarter southeast quarter; northeast quarter southwest quarter; lots 1 and 2; the east twenty acres of lot 3; ten acres, in the form of a square, situated in the northeast corner of lot 4.

Section 8: North half; north half south half; southeast quarter southeast quarter; north half southwest quarter southeast quarter; west half southwest quarter southwest quarter; southeast quarter southwest quarter southwest quarter.

Section 9: All.

Section 10: North half; northeast quarter southeast quarter; north-

west quarter southwest quarter; west half northeast quarter southwest quarter.

Section 11: Northeast quarter; northwest quarter southeast quarter; west half northeast quarter southeast quarter; northeast quarter northeast quarter southeast quarter; north half southwest quarter; east half southeast quarter southwest quarter; northwest quarter southeast quarter southwest quarter; west half northwest quarter northwest quarter; northeast quarter northwest quarter northwest quarter; north half southeast quarter northwest quarter northwest quarter; southwest quarter southeast quarter northwest quarter northwest quarter; north half southeast quarter southeast quarter northwest quarter northwest quarter; southwest quarter southeast quarter southeast quarter northwest quarter northwest quarter; east half northeast quarter northwest quarter; northwest quarter northeast quarter northwest quarter; east half southwest quarter northeast quarter northwest quarter; northwest quarter southwest quarter northeast quarter northwest quarter; east half southwest quarter southwest quarter northeast quarter northwest quarter; northwest quarter southwest quarter southwest quarter northeast quarter northwest quarter; east half southeast quarter northwest quarter; southwest quarter southeast quarter northwest quarter; east half northwest quarter southeast quarter northwest quarter; southwest quarter northwest quarter southeast quarter northwest quarter; east half northwest quarter northwest quarter southeast quarter northwest quarter; southwest quarter northwest quarter northwest quarter southeast quarter northwest quarter; south half southwest quarter northwest quarter.

Section 12: North half; east half southeast quarter; northwest quarter southeast quarter; east half southwest quarter southeast quarter; north half northwest quarter southwest quarter southeast quarter.

1212 ⊥Section 13: South half northeast quarter; northeast quarter northeast quarter; east half northwest quarter northeast quarter; south half southeast quarter northwest quarter; southeast quarter southwest quarter northwest quarter; south half.

Section 16: North half northwest quarter; northwest quarter northeast quarter; north half southwest quarter northeast quarter.

Section 17: Northeast quarter northeast quarter; northwest quarter northwest quarter.

Section 18: North half northeast quarter northeast quarter.

Section 24: Northeast quarter northeast quarter northeast quarter.

Township 16 north, range 31 east, Black Hills meridian

Section 1: All.

Section 2: East half southeast quarter; southeast quarter northeast quarter; east half southwest quarter southeast quarter; southeast quarter northwest quarter southeast quarter; lot 1.

Section 6: South half southwest quarter; west half southwest quarter southeast quarter.

Section 7: West half; southeast quarter; south half northeast quarter; northwest quarter northeast quarter; south half northeast quarter northeast quarter.

Section 8: West half southwest quarter southwest quarter.

Section 10: West half southeast quarter; west half east half southeast quarter; southeast quarter southwest quarter; east half southwest quarter southwest quarter; southeast quarter southwest quarter northeast quarter; southwest quarter southeast quarter northeast quarter.

Section 11: Southwest quarter northeast quarter; east half northwest quarter northeast quarter; southeast quarter southeast quarter

northwest quarter; east half northeast quarter southwest quarter; southwest quarter northeast quarter southwest quarter; southeast quarter southwest quarter; east half southwest quarter southwest quarter; southwest quarter southwest quarter southwest quarter; lots 1, 2, 3, and 4.

Section 14: All.

Section 15: Northeast quarter; east half east half northwest quarter; north half southeast quarter; southwest quarter southeast quarter; east half southwest quarter; southwest quarter southwest quarter; south half northwest quarter southwest quarter; lot 1.

Section 16: Southwest quarter; west half northwest quarter; southeast quarter northwest quarter; southeast quarter southeast quarter; southwest quarter northeast quarter southeast quarter; southeast quarter southwest quarter southeast quarter.

Section 17: West half southeast quarter; northeast quarter southeast quarter; west half west half; northeast quarter northwest quarter; north half southeast quarter northwest quarter.

Section 18: All.

Section 19: North half; east half southeast quarter; east half west half southeast quarter.

Section 20: West half; northeast quarter; north half southeast quarter; southwest quarter southeast quarter; west half southeast quarter southeast quarter.

Section 21: Northwest quarter; east half east half; east half west half southeast quarter; east half northwest quarter northeast quarter.

Section 22: All.

Section 27: All.

Section 28: All.

Section 29: All.

Section 30: East half east half.

⊥Section 31: Southeast quarter; south half southwest quarter; ⊥1213
northeast quarter southwest quarter; south half northwest quarter southwest quarter; northeast quarter northwest quarter southwest quarter; southeast quarter southeast quarter northwest quarter; south half northeast quarter; northeast quarter northeast quarter; east half northwest quarter northeast quarter.

Section 32: North half; north half southwest quarter; southeast quarter southwest quarter; northwest quarter southeast quarter; west half northeast quarter southeast quarter; west half southwest quarter southeast quarter.

Section 33: Southeast quarter; south half northeast quarter; north half northwest quarter; east half southeast quarter northwest quarter; northwest quarter northeast quarter; lot 1.

Section 34: All.

Township 17 north, range 30 east, Black Hills meridian

Section 28: Southeast quarter southwest quarter; east half southwest quarter southwest quarter; southeast quarter northwest quarter southwest quarter; southwest quarter northeast quarter southwest quarter.

Section 31: Ten acres, in the form of a square, situated in the southwest corner of lot 4.

Section 33: East half west half; southwest quarter southwest quarter; east half northwest quarter southwest quarter; east half west half northwest quarter; west half southeast quarter; southeast quarter southeast quarter; south half northeast quarter southeast quarter; northwest quarter northeast quarter southeast quarter; southwest quarter northeast quarter; southwest quarter northwest quarter northeast quarter; southwest quarter southeast quarter northeast quarter.

Section 34: Southwest quarter southwest quarter; southwest quarter northwest quarter southwest quarter; south half southeast quarter southwest quarter; south half southwest quarter southeast quarter; northeast quarter southwest quarter southeast quarter; west half southeast quarter southeast quarter.

Township 17 north, range 31 east, Black Hills meridian

Section 6: North half southwest quarter; southeast quarter northwest quarter; southwest quarter northeast quarter; lot 7.

Section 7: Southeast quarter; southeast quarter northeast quarter; east half southwest quarter northeast quarter; northeast quarter southwest quarter; northeast quarter southeast quarter southwest quarter.

Section 8: Lots 2, 3 and 4.

Section 17: Southwest quarter northwest quarter; north half southwest quarter; north half southeast quarter southwest quarter; northeast quarter southwest quarter southwest quarter; north half southwest quarter southeast quarter; southeast quarter southwest quarter southeast quarter; lots 1, 2, 3 and 4.

Section 18: North half northeast quarter; northeast quarter southeast quarter northeast quarter; northwest quarter southwest quarter northeast quarter; east half northeast quarter northwest quarter; northeast quarter southeast quarter northwest quarter.

Section 20: North half northeast quarter northeast quarter; southeast quarter northeast quarter northeast quarter.

Section 21: Southeast quarter southwest quarter; southwest quarter northwest quarter; north half northwest quarter southwest quarter; lots 1, 2, 3 and 4.

Section 27: All.

‡1214 ‡Section 28: East half southeast quarter; east half northwest quarter southeast quarter; northwest quarter northeast quarter; north half southwest quarter northeast quarter; southeast quarter southwest quarter northeast quarter; northeast quarter northwest quarter; northeast quarter northwest quarter northwest quarter; northeast quarter southeast quarter northwest quarter; lots 1 and 2.

Section 33: Northeast quarter northeast quarter; southeast quarter northwest quarter northeast quarter; southeast quarter northwest quarter; east half southwest quarter northwest quarter; northeast quarter southwest quarter; northeast quarter northwest quarter southwest quarter; northeast quarter southeast quarter southwest quarter.

Township 119 north, range 78 west, fifth principal meridian

Section 5: Lot 6.

Township 120 north, range 78 west, fifth principal meridian

Section 29: Lots 5, 6, and 7.

Section 32: Lots 5 and 6.

Township 123 north, range 78 west, fifth principal meridian

Section 30: Lots 5 and 6.

Township 123 north, range 79 west, fifth principal meridian

Section 24: Lot 4.

Section 25: Lot 1.

An unsurveyed island in the Missouri River situated opposite sections 3 and 4 of township 9 north, range 29 east, Black Hills meridian.

An unsurveyed island in the Missouri River, situated opposite sections 2, 3, and 4 of township 9 north, range 29 east of the Black Hills meridian, also sections 21, 22, and 23 of township 115 north, range 81 west of the fifth principal meridian.

An unsurveyed island in the Missouri River, situated opposite sections 1 and 2 of township 9 north, range 29 east, Black Hills meridian.

An unsurveyed island in the Missouri River, situated oposite sections 1 and 2 of township 9 north, range 29 east of the Black Hills meridian, also sections 23 and 24 of township 115 north, range 81 west and section 19 of township 115 north, range 80 west of the fifth principal meridian.

An unsurveyed island in the Missouri River, situated opposite sections 14, 15, 16, and 21 of township 10 north, range 28 east of the Black Hills meridian, also sections 33, 34, and 35 of township 116 north, range 82 west of the fifth principal meridian.

An unsurveyed island in the Missouri River, situated opposite sections 19, 29, 30, and 32 of township 10 north, range 29 east of the Black Hills meridian, also section 1 of township 115 north, range 82 west of the fifth principal meridian.

An unsurveyed island in the Missouri River, situated within section 12, township 12 north, range 30 east, Black Hills meridian, between Lafferty Island, a surveyed island, and the right bank of said Missouri River.

An unsurveyed island in the Missouri River, situated opposite sections 12, 13, 14, and 23 of township 12 north, range 30 east of the Black Hills meridian, also sections 29, 30, and 31 of township 118 north, range 79 west of the fifth principal meridian.

An unsurveyed island in the Missouri River, situated opposite sections 22, 27, 28, and 33 of township 16 north, range 31 east of the ⊥Black Hills meridian, also sections 5, 6, and 7 of township 121 north, ⊥1215
range 78 west of the fifth principal meridian.

An unsurveyed island in the Missouri River, situated opposite sections 14, 15, and 22 of township 16 north, range 31 east of the Black Hills meridian, also section 5 of township 121 north, range 78 west and sections 28, 32, and 33 of township 122 north, range 78 west of the fifth principal meridian.

The following described land is described in the foregoing reservation description, but is owned by Indian fee patents to individual Indians:

Township 9 north, range 24 east, Black Hills meridian

Section 13: West half northwest quarter; northwest quarter southwest quarter; lots 6, 7, and 9.

Section 14: East half southeast quarter.

Township 10 north, range 28 east, Black Hills meridian

Section 10: South half southwest quarter.
Section 15: Lots 2 and 3.

Township 12 north, range 30 east, Black Hills meridian

Section 11: South half south half.
Section 12: South half south half southwest quarter southwest quarter; lots 3, 5, and 6.
Section 13: Lots 1 and 2.
Section 14: North half; east half northwest quarter southeast quarter; northeast quarter southwest quarter southeast quarter; lot 1; the north six hundred and sixty feet of lot 2.

Township 14 north, range 31 east, Black Hills meridian

Section 11: Lot 4.

Township 15 north, range 31 east, Black Hills meridian

Section 3: Southwest quarter northwest quarter; lots 1, 2, and 3.
Section 13: West half east half southeast quarter southwest quarter.

Township 16 north, range 29 east, Black Hills meridian

Section 17: North half northeast quarter southeast quarter; east half northwest quarter; north half northeast quarter southwest quarter; northwest quarter northeast quarter; north half southwest quarter northeast quarter; southwest quarter southwest quarter northeast quarter; northwest quarter northwest quarter southeast quarter.
Section 18: East half southwest quarter southeast quarter.
Section 19: Northeast quarter northeast quarter.
Section 20: North half southwest quarter; north half southwest quarter southwest quarter; southeast quarter southwest quarter southwest quarter.

Township 16 north, range 30 east, Black Hills meridian

Section 7: East half east half.
Section 8: North half south half northwest quarter.
Section 11: East half east half northeast quarter; northeast quarter northeast quarter southeast quarter; east half southeast quarter southwest quarter.
⊥1216 ⊥Section 12: West half northwest quarter.

Township 16 north, range 31 east, Black Hills meridian

Section 28: Northwest quarter; west half northeast quarter; lots 1 and 2.

Approved, September 3, 1954.

PRIVATE LAWS OF THE EIGHTY-THIRD CONGRESS, SECOND SESSION, 1954

PRIVATE LAW 469 CHAPTER 382

June 28, 1954
[S. 1301]

AN ACT

68 Stat. A95

Authorizing the Secretary of the Interior to issue a patent in fee to Lucy Yarlott Othermedicine.

Lucy Y. Othermedicine

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to issue to Lucy Yarlott Othermedicine a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Montana: The west half of the northeast quarter, and the southeast quarter of the northeast quarter of section 22, and lot 3 of section 10, township 9 south, range 34 east, Montana principal meridian. The prior disposition of the homestead land of Lucy Yarlott Othermedicine is hereby ratified and confirmed.

Approved, June 28, 1954.

PRIVATE LAW 527 CHAPTER 505

July 14, 1954
[H. R. 7146]

AN ACT

68 Stat. A117

Authorizing the Secretary of the Interior to issue a patent in fee to John McMeel No. 1.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of

the Interior is authorized and directed to issue to John McMeel No. 1 a patent in fee to the following described lands allotted to him on the Fort Belknap Indian Reservation, Montana: Northeast quarter; east half of the northwest quarter of section 31; west half of the northwest quarter of the southwest quarter of the northwest quarter ⊥of section 32, township 26 north, range 24 east, Montana principal meridian, containing two hundred forty-five acres.

John McMeel No. 1. Patent in fee.

⊥A118

SEC. 2. Said patent in fee when issued shall contain a reservation to the Fort Belknap Indian Community, in accordance with the provisions of the Act of March 3, 1921 (41 Stat. 1355), of all minerals, including coal, oil and gas.

SEC. 3. Pursuant to the provisions of the Act of March 3, 1921 (41 Stat. 1355, 1357), and the Act of March 7, 1928 (45 Stat. 200–210), as supplemented by the Act of July 1, 1932 (47 Stat. 564, 565), said patent in fee when issued shall contain a provision that any of the above-described lands which may be situated within a Federal irrigation project are subject to a lien, prior and superior to all other liens for the amount of costs and charges due to the United States for and on account of construction, operation, and maintenance of the irrigation system or acquisition of water rights by which said lands have been or are to be reclaimed.

25 U. S. C. 386a.

Approved, July 14, 1954.

PRIVATE LAW 871 CHAPTER 1058

AN ACT

August 28, 1954
[H. R. 2154]
68 Stat. A232

Authorizing the issuance of a patent in fee to Leona Hungry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Leona Hungry a patent in fee to the following-described land situated on the Rosebud Indian Reservation in the State of South Dakota: Allotment numbered 3097, southeast quarter, section 2, township 42 north, range 29 west, of the sixth principal meridian, containing one hundred and sixty acres.

Leona Hungry.

Approved, August 28, 1954.

PUBLIC LAWS OF THE EIGHTY-FOURTH CONGRESS, FIRST SESSION, 1955

PUBLIC LAW 24 CHAPTER 26

AN ACT

April 22, 1955
[H. R. 4903]
69 Stat. 28

Making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1955") for the fiscal year ending June 30, 1955, and for other purposes, namely:

Second Supplemental Appropriation Act, 1955.

* * *

⊥CHAPTER VII—DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

⊥134

* * *

PUBLIC HEALTH SERVICE

* * *

⊥135

⊥INDIAN HEALTH ACTIVITIES

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (68 Stat. 674), including services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); hire of passenger motor vehicles; and the purposes set forth in sections 321 and 509 of the Public Health Service Act; $100,000, to be derived by transfer from "Retired pay of commissioned officers", fiscal year 1955.

42 U. S. C. 2001–2004.

60 Stat. 810.

62 Stat. 1017, 1018.
42 U. S. C. 248, 227.

* * *

Approved, April 22, 1955.

PUBLIC LAW 47 CHAPTER 106

AN ACT

May 27, 1955
[H. R. 2682]

69 Stat. 67

Relative to the exploration, location, and entry of mineral lands within the Papago Indian Reservation.

Papago Indian Reservation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions with respect to subjection of mineral lands within the Papago Indian Reservation to exploration, location, and entry under the mining laws of the United States in the Executive order dated February 1, 1917, creating the Papago Indian Reservation, and in the third proviso in section 1 of the Act of February 21, 1931 (46 Stat. 1202), and the provisions of subsection (b) (1) and (2) and of the remainder, following the word "purposes," of subsection (b) (4) of section 3 of the Act of June 18, 1934 (48 Stat. 984; 25 U. S. C. 461–479), as amended by the Act of August 26, 1937 (50 Stat. 862, 863; 25 U. S. C. 463), are hereby repealed, all tribal lands within the Papago Indian Reservation are hereby withdrawn from all forms of exploration, location, and entry under such laws, the minerals underlying such lands are hereby made a part of the reservation to be held in trust by the United States for the Papago Indian Tribe, and such minerals shall be subject to lease for mining purposes pursuant to the provisions of the Act of May 11, 1938 (52 Stat. 347): *Provided,* That the provisions of this Act shall not be applicable to lands within the Papago Indian Reservation for which a mineral patent has heretofore been issued or to a claim that has been ⊥validly initiated before the date of this Act and thereafter maintained under the mining laws of the United States.

25 USC 396a–396f

⊥168

SEC. 2. Section 6 of the Act of May 11, 1938 (52 Stat. 347, 348; 25 U. S. C. 396f), is amended by deleting therefrom "the Papago Indian Reservation in Arizona,".

Approved, May 27, 1955.

PUBLIC LAW 62 CHAPTER 131

AN ACT

June 8, 1955
[H. R. 3879]

69 Stat. 85

To amend section 2 of the Act of March 2, 1945, pertaining to the Columbia River at Bonneville, Oregon.

Indian fishing grounds
59 Stat. 22.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the River and Harbor Act approved March 2, 1945, pertaining to the Columbia River at Bonneville, Oregon, is hereby amended by striking out the amount "$50,000" and substituting in lieu thereof "$185,000."

Approved, June 8, 1955.

PUBLIC LAW 78 CHAPTER 147

AN ACT

June 16, 1955
[H. R. 5085]

69 Stat. 141

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1956, and for other purposes.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1956, namely:

Department of the Interior and Related Agencies Appropriation Act, 1956.

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

OFFICE OF THE SOLICITOR

For necessary expenses of the Office of the Solicitor, including purchase of three passenger motor vehicles for replacement only, $2,525,000, and in addition, not to exceed $100,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided,* That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedure Act (60 Stat. 237), as amended.

5 USC 1001 note.

* * *

⊥BUREAU OF INDIAN AFFAIRS

⊥142

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admis-⊥ sion), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $41,764,995.

⊥143

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts as authorized by law; $12,432,000, and in addition, $200,000 of the Revolving Fund for Loans, Bureau of Indian Affairs, shall be used in connection with administering loans to Indians.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, roads and trails, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; payment to the Klamath Tribe of Indians, Oregon, as authorized by section 13c of the Act of August 13, 1954 (Public Law 587); to remain available until expended, $7,979,003, of which not to exceed $11,647 shall be available for reimbursing the city of New Town, North Dakota, for the cost of improvements to streets and appurtenant facilities adjoining property under the jurisdiction of the Bureau of Indian Affairs, and not to exceed $40,000 shall be available for assistance to the public-school district for constructing additional classroom facilities at Seligman, Arizona: *Provided,* That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further,* That no part of this appropria-

68 Stat. 721.
25 U. S. C. 564*l*(c).

Restrictions.

tion shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations: *Provided further*, That the Secretary is authorized to purchase, without regard to the prohibition against the acquisition of land or water rights contained herein, not to exceed fifteen acres of lands within the Klamath Indian Reservation, Oregon, required for the construction of two pumping plants and an equalizing basin for the Modoc Point Indian irrigation system and not to exceed four hundred acres of lands within the Colville Indian Reservation, Washington, required for the construction of Mill Creek Reservoir of the Nespelem Unit of the Colville Indian irrigation project: *Provided further*, That of the amount included herein for the construction of roads and trails, such part of the amount as determined by the Commissioner of Indian Affairs shall be available only for roads and trails which State and local governments agree to take over and maintain when the improvement is completed.

1144 ⊥ROAD CONSTRUCTION AND MAINTENANCE (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in section 6 of the Federal-Aid Highway Act of 1954 (68 Stat. 73), $7,000,000, to remain available until expended.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $2,600,000.

RELOCATION OF THE YANKTON SIOUX TRIBE

For necessary expenses of completing the relocation of the Yankton Sioux Tribe, South Dakota, in accordance with section 8 of the Public Law Numbered 478, Eighty-third Congress, to remain available until expended, $56,500: *Provided*, That said amount shall be assessed against the costs of the Fort Randall Dam and Reservoir, Missouri River Development.

68 Stat. 453.
43 USC 1206.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed one hundred and seventy-five passenger motor vehicles for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), and legislation terminating Federal supervision over certain Indian tribes; purchase of ice for official use of employees; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,100,000, from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian

tribes under approved contracts; pay, travel and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a recreational director for the Menominee Reservation and a curator for the Osage Museum, each of whom shall be appointed with the approval of the respective tribal councils and without regard to the classification laws; *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided further*, That not to exceed $100,000 from the funds credited to the ⊥Indians of California under the Act of May 18, 1928 (45 Stat. 602), for expenses of moving and relocating houses available to said Indians under the Act of August 2, 1954 (68 Stat. 590, 613), but not more than $300 may be expended for any one house: *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation.

18 U. S. C. 4124.

⊥145
25 U. S. C. 651–657.

68 Stat. 645.
42 U. S. C. 1589c.

* * *

⊥INDIAN CLAIMS COMMISSION

⊥156

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $119,500, of which not to exceed $3,600 shall be available for expenses of travel.

60 Stat. 1049

* * *

Approved, June 16, 1955.

PUBLIC LAW 163 CHAPTER 370

AN ACT

July 15, 1955
[H. R. 6766]

69 Stat. 354

Making appropriations for the Atomic Energy Commission, the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, for the fiscal year ending June 30, 1956, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1956, for the Atomic Energy Commission, the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, and for other purposes, namely:

Public Works Appropriation Act, 1956.

* * *

⊥TITLE III—CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

⊥360

* * *

⊥CONSTRUCTION, GENERAL

⊥361

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by law; detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment

of the Government to construction); and not to exceed $900,000 for transfer to the Secretary of the Interior for conservation of fish and wildlife as authorized by law; to remain available until expended, $401,173,000, of which $25,000 shall be available for the project at Playa del Rey Inlet and Harbor, Venice, California, authorized by the River and Harbor Act of 1954, and $68,000 shall be available for The Upper Iowa River Project: *Provided*, That funds appropriated herein may at the discretion and under the direction of the Chief of Engineers be used in payment to the accounts of the Confederated Tribes of the Yakima Reservation; the Confederated Tribes of the Warm Springs Reservation; the Confederated Tribes of the Umatilla Reservation; or other recognized Indian tribes, and those individual Indians not enrolled in any recognized tribe, but who through domicile at or in the immediate vicinity of the reservoir and through custom and usage are found to have an equitable interest in the fishery, all of whose fishing rights and interests will be impaired by the Government incident to the construction, operation, or maintenance of The Dalles Dam, Columbia River, Washington and Oregon, and must be subordinated thereto by agreement or litigation: *Provided further*, That not to exceed $210,000 of funds appropriated herein may be transferred to the Secretary of the Interior for relocation of those permanent resident Indian families in The Dalles project who were domiciled within the project area on May 17, 1950, and to acquire such lands as may be necessary therefor on the condition that the Secretary of the Interior transfer to the control of the Secretary of the Army for use in connection with The Dalles Dam project, Oregon, an irregular shaped parcel of land containing in the aggregate approximately five and five-tenths acres located in lot 1 of section 17 and in lots 1 and 2 of section 20, township 2 north, range 15 east, Willamette meridian, Oregon, being a portion of the land previously transferred to the ⊥Secretary of the Interior by the Secretary of the Army pursuant to the Act approved February 9, 1929 (45 Stat. 1158). Title to the lands acquired by the Secretary of the Interior for the above stated purpose shall be taken in the name of the United States in trust for the individual Indian for whose benefit it is acquired; any such trust may be terminated by the Secretary of the Interior by conveyance of a fee simple title to the Indian or his heirs or devisees, without application therefor, when in the judgment of the Secretary of the Interior the Indian or his heirs or devisees are capable of managing their own affairs. In carrying out such relocations, the Secretary of the Interior may enter into a contract or contracts with any State or political subdivision thereof: *Provided further*, That not to exceed $4,500,000 of the funds provided herein shall be available for the construction of small authorized projects selected by the Secretary of the Army the cost of which is not in excess of $150,000 and any such project shall be completed within the funds herein appropriated: *Provided further*, That in lieu of protecting the Lewis and Clark Irrigation District, not to exceed $2,050,000 of the funds herein or hereafter appropriated for the Garrison Dam and Reservoir project on the Missouri River shall be available for the purchase of lands and improvements in the Lewis and Clark Irrigation District, and not to exceed $1,196,000 shall be available for the relocation of highways and utilities therein: *Provided, however*, That the substitution of land acquisition for protection shall not be made unless two-thirds of the landowners, on or before December 31, 1955, have offered to sell their property on agreeable terms, and which are within the proportion of the total amount provided for such land acquisition: *Provided further*, That in lieu of protecting the East Bottom of the Buford-Trenton Irrigation District, not to exceed $1,750,000 of the funds herein or hereafter appropriated for the Garrison Dam and Reservoir project on the Missouri River shall be available for the purchase of lands and improvements in and

68 Stat. 1242.
The Dalles Dam, Columbia River.
Payment to Indians.
Relocation funds
1362
Small projects
Lewis and Clark Irrigation District.
Buford-Trenton Irrigation District.

contiguous to the Buford-Trenton Irrigation District, and not to exceed $2,000,000 shall be available to the Corps of Engineers for protection of the intake structure of the pumping plant in Zero Bottom and for the construction of bank protection to prevent erosion in the Missouri River adjacent to the Buford-Trenton irrigation project: *Provided, however,* That the substitution of land acquisition for protection shall not be made unless two-thirds of the landowners on or before December 31, 1955, have offered to sell their property on agreeable terms, and which are within the proportion of the total amount provided for such land acquisition: *Provided further,* That in the event land acquisition is undertaken in lieu of protection of the East Bottom, that in recognition of the increased per acre annual operation and maintenance cost of the remaining lands in the Buford-Trenton Irrigation District the construction charge obligation as set forth in a proposed contract between the United States and Buford-Trenton Irrigation District, approved as to form February 23, 1955, assignable to such remaining lands shall be nonreimbursable, and the Secretary of the Interior is authorized and directed to transfer operation and maintenance responsibility for project works constructed by the Bureau of Reclamation for the benefit of the Buford-Trenton Irrigation District to such district: *Provided further,* That funds herein appropriated shall be available to the Secretary of the Army to reimburse the port of Tacoma for such work as they may have done within the limits of the Federal portion of the Tacoma Harbor project, over and above the work required as a part of the local cooperation for the project, insofar as the same shall be approved by the Chief of Engineers and found to have been done in accordance with the authorized modification ⊥adopted in the 1954 River and Harbor Act: *Provided further,* That such payment shall not exceed the sum of $373,216: *Provided further,* That the Corps of Engineers may accept not to exceed $3,000,000 from local interests for prosecution of construction of the authorized project at Brays Bayou, Harris County, Texas, and not to exceed $190,000 for construction of the authorized project at Green Bay Harbor, Wisconsin: *Provided further,* That funds herein appropriated shall be available for expenditure, in addition to funds heretofore made available for the Oahe, Gavins Point, and Fort Randall Dams and Reservoir projects on the Missouri River, shall be available to cooperate with the State of South Dakota in restoring a reasonable water level to a portion of McCook Lake, Union County, South Dakota, which water level has been impaired and surrounding residential properties damaged by the reduced flow of the Missouri River due to the construction of the Oahe, Fort Randall, and Gavins Point Dam projects: *Provided further,* That the cost to the United States shall not exceed $150,000: *Provided further,* That the State or local agencies shall contribute an equal amount to the cost of the restoration works which restoration shall be accomplished by agreement between the Game, Fish, and Parks Commission of the State of South Dakota and the Secretary of the Army acting through the Corps of Engineers.

Port of Tacoma, Reimbursement

⊥363

68 Stat. 1253.

Brays Bayou, Tex.

Green Bay Harbor, Wis.

McCook Lake, S. Dak.

* * *

Approved, July 15, 1955.

PUBLIC LAW 167 CHAPTER 375

AN ACT

July 23, 1955
[H. R. 5891]

69 Stat. 367

To amend the Act of July 31, 1947 (61 Stat. 681) and the mining laws to provide for multiple use of the surface of the same tracts of the public lands, and for other purposes.

Public lands.
43 U. S. C. 1185.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of July 31, 1947 (61 Stat. 681), is amended to read as follows:

Materials disposal

"SECTION 1. The Secretary, under such rules and regulations as he may prescribe, may dispose of mineral materials (including but not limited to common varieties of the following: sand, stone, gravel, pumice, pumicite, cinders, and clay) and vegetative materials (including but not limited to yucca, manzanita, mesquite, cactus, and timber or other forest products) on public lands of the United States, including, for the purposes of this Act, land described in the Acts of August 28, 1937 (50 Stat. 874), and of June 24, 1954 (68 Stat. 270), if the disposal of such mineral or vegetative materials (1) is not otherwise expressly authorized by law, including, but not limited to, the Act of June 28, 1934 (48 Stat. 1269), as amended, and the United States mining laws, and (2) is not expressly prohibited by laws of the United States, and (3) would not be detrimental to the public interest. Such materials may be disposed of only in accordance with the provisions of this Act and upon the payment of adequate compensation therefor, to be determined by the Secretary: *Provided, however,* That, to the extent not otherwise authorized by law, the Secretary is authorized in his discretion to permit any Federal, State, or Territorial agency, unit or subdivision, including municipalities, or any association or corporation not organized for profit, to take and remove, without charge, materials and resources subject to this Act, for use other than for commercial or industrial purposes or resale. Where the lands have been withdrawn in aid of a function of a Federal department or agency other than the department headed by the Secretary or of a State, Territory, county, municipality, water district or other local governmental subdivision or agency, the Secretary may make disposals under this Act only with the consent of such other Federal department or agency or of such State, Territory, or local governmental unit. Nothing in this Act shall be construed to apply to lands in any national park, or national monument or to any Indian lands, or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by Executive order for the use of Indians. As used in this Act, the word "Secretary" means the Secretary of the Interior except that it means the Secretary of Agriculture where the lands involved are administered by him for national forest purposes or for the purposes of title III of the Bankhead-Jones Farm Tenant Act or where withdrawn for the purpose of any other function of the Department of Agriculture."

43 U. S. C. 1181a–1181j

43 U. S. C. 315 *et seq.*, 1171

50 Stat. 525; 7 U. S. C. 1010 *et seq.*

* * *

Approved, July 23, 1955.

PUBLIC LAW 187 CHAPTER 422

July 28, 1955
[H. R. 1802]

AN ACT

69 Stat. 391

To authorize the leasing of certain lands of the Yakima Tribe to the State of Washington for historical and for park purposes.

Ft. Simcoe, Wash. Indian land lease. 60 Stat. 962

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the Act entitled "An Act to authorize the leasing of Indian lands situated within the State of Washington for business and other purposes", approved August 9, 1946 (25 U. S. C., secs. 403b and 403c), or any other provision of law, the Yakima Tribe acting through its tribal council may lease to the State of Washington that land more particularly described in section 4 for the purpose of developing, maintaining, and preserving Fort Simcoe (Mool-Mool) for historical and for park purposes.

1392

⊥SEC. 2. The lease entered into under authority of the first section of this Act—

(1) shall be null and void and the Yakima Tribe shall have the right of immediate possession if the State of Washington ever

ceases to maintain Fort Simcoe (Mool-Mool) for historical and for park purposes;

(2) shall be entered into for a period of ninety-nine years;

(3) shall not contain any provision permitting the exploitation of any natural resource;

(4) shall specifically reserve to the Yakima Tribe all mineral and other subsurface rights in such lands which such tribe possesses on the date of enactment of this Act; and

(5) shall be entered into under such rules and regulations, and contain such other provisions, as the Secretary of the Interior shall prescribe.

SEC. 3. The existing agreement between the Yakima Tribe and the State of Washington may be amended to comply with this Act.

SEC. 4. The land on the Yakima Indian Reservation, Washington, which may be leased pursuant to this Act, is more particularly described as follows:

The east half of the northeast quarter of section 20, and the west half of the northwest quarter of section 21, and the west half of the east half of the northwest quarter of section 21, all in township 10 north, range 16 east, Wilhamette meridian, containing two hundred acres more or less.

(b) Such additional tribal lands of the Yakima Tribe as adjoin the land described in subsection (a) may, pursuant to all of the terms and conditions of this Act, be leased by such tribe, acting through its tribal council, to the State of Washington.

Approved, July 28, 1955.

PUBLIC LAW 188 CHAPTER 423

AN ACT

July 28, 1955
[H. R. 1801]

69 Stat. 392

To authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purpose of effecting consolidations of land, situated within the Yakima Indian Reservation in the State of Washington, between the Yakima Tribes of Indians and individual members of the tribes and other Indians, for the mutual benefit of the tribes and the individual members thereof, the Secretary of the Interior is authorized in his discretion to—

Yakima Indian Reservation.
Consolidation of lands.

(1) purchase for the Yakima Tribes, with tribal funds of such tribes on deposit in the United States Treasury, or otherwise, any lands held by individual members of the Yakima Tribes and other Indians under trust patent or other restrictions against alienation including lands in heirship status, within the Yakima Indian Reservation, including interests therein or improvements thereon, water rights, and surface rights;

(2) sell to individual members of the Yakima Tribes any tribal trust lands within such reservation, including lands, interests, improvements, and rights acquired for the tribes under this Act; and

⊥(3) exchange any tribal trust lands within such reservation, ⊥393
including lands, interests, improvements, and rights acquired for the tribes under this Act, for lands situated within such reservation which are held by individual members of the tribes and other Indians under trust patent or other restrictions against alienation including lands in heirship status.

(b) The Secretary shall obtain the advice and consent of the Yakima Tribal Council before entering into any such transaction. The terms and conditions of any such transaction, including the price at which any land is so purchased or sold and the valuation of any lands so

exchanged, shall be mutually agreed upon by the Secretary, the Yakima Tribal Council, and the individual Indian or Indians concerned. Any such exchange of tribal lands for lands held by individual members of the Yakima Tribes or other Indians, and for lands in heirship status, shall be effected on the basis of approximately equal consideration with due allowance for the value of improvements in determining the value of such lands.

SEC. 2. (a) Title to lands, interests, improvements, or rights so acquired by the Secretary for the Yakima Tribes through purchase or exchange shall be held by the United States in trust for the Yakima Tribes. Title to tribal trust lands, interests, improvements, or rights sold by the Secretary to individual members of the Yakima Tribes or exchanged by the Secretary for lands held under trust patent or other restrictions against alienation by individual members of the tribes and other Indians or for lands in heirship status shall be held by the United States in trust for the individual Indian or Indians concerned.

(b) Sums derived from the sale of tribal trust lands, interests, improvements, and rights shall be credited to the tribal funds of the Yakima Tribes.

SEC. 3. (a) No transaction entered into under this Act shall affect, without the consent of the lessee, any lease of lands, interests, improvements, or rights involved in such transaction, or any right of the lessee with respect to extension or renewal of such lease, which is in existence at the time such transaction is entered into.

(b) Nothing in this Act shall affect the existing status of any lands, interests, improvements, or rights with respect to taxation.

SEC. 4. The Secretary is authorized to prescribe such regulations as may be necessary to carry out the purposes of this Act.

Approved, July 28, 1955.

PUBLIC LAW 195 CHAPTER 437

August 1, 1955
[H. R. 5046]

69 Stat. 397

AN ACT

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1956, and for other purposes.

Departments of Labor, and Health, Education, and Welfare, and related agencies Appropriation Act, 1956.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1956, namely:

* * *

1401 TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

* * *

1404 PUBLIC HEALTH SERVICE

For necessary expenses in carrying out the Public Health Service Act, as amended (42 U. S. C., ch. 6A) (hereinafter referred to as the Act), and other Acts, including expenses for active commissioned officers in the Reserve Corps and for not to exceed one thousand five hundred commissioned officers in the Regular Corps, as follows:

58 Stat. 682.

* * *

1406 Indian health activities: For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (Public Law 568), including services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a) (including not to exceed $10,000 for such services at rates not to exceed $100 per diem for individuals, when authorized by the Surgeon General); purchase of not to exceed

68 Stat. 674.
42 U. S. C. 2001–2004.
60 Stat. 810.

seventy-two passenger motor vehicles, of which forty-seven shall be for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 321 and 509 of the Public Health Service Act; $33,840,000: *Provided,* That the Surgeon General is authorized to transfer from this appropriation to other appropriations of the Public Health Service such amounts as he may determine are required in such appropriations for Indian health activities. 42 U. S. C. 248, 227.

Construction of Indian health facilities: For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; and purchase of trailers; $,5000,000, to remain available until expended: *Provided,* That such expenditures may be made through the Department of the Interior.

* * *

Approved, August 1, 1955.

PUBLIC LAW 202 CHAPTER 444

AN ACT

August 1, 1955
[H. R. 4367]
69 Stat. 431

To provide for the distribution of funds belonging to the members of the Creek Nation of Indians, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 1 of the Deficiency Appropriation Act, fiscal year 1934 (48 Stat. 1021, 1033), under the heading "Bureau of Indian Affairs" directing the Secretary of the Interior to make a per capita payment to the members of the Creek Tribe of Indians on the basis of a roll to be made as of December 4, 1933, are repealed.

Indians.
Distribution of Creek Nation funds

SEC. 2. (a) The Secretary of the Interior is authorized and directed to use any funds on deposit in the Treasury of the United States to the credit of the Creek Nation to complete allotment equalization payments to persons with claims thereto that were filed and adjudicated in accordance with the provisions of section 18 in the Act of June 30, 1919 (41 Stat. 3, 24).

(b) The Secretary of the Interior is authorized to distribute per capita to the members of the Creek Nation whose names appear on the final rolls approved under the Act of April 26, 1906 (34 Stat. 137), or to their heirs or legatees, any funds heretofore or hereafter deposited in the Treasury of the United States to the credit of the Creek Nation that are not used for the purposes of subsection (a) of this section and that are not needed, in the judgment of the Secretary, for other tribal purposes except the proceeds of any final judgment entered in Docket No. 21, pending before the Indian Claims Commission, in which the Creek Nation (Oklahoma) is plaintiff, and McGhee et al., on behalf of the Creek Nation East of the Mississippi are intervenors, and the United States is defendant. 25 U. S. C. 355 note

⊥(c) The Secretary of the Interior is hereby authorized and directed to distribute among the persons entitled thereto the funds appropriated by chapter XII of the Third Supplemental Appropriation Act, 1952 (66 Stat. 101, 121), in payment of the judgment entered by the Indian Claims Commission in favor of the Loyal Creek Band or Group of Creek Indians et al., Docket No. 1. Such funds shall be paid to those persons whose names appear on the payroll prepared pursuant to the Act of March 3, 1903 (32 Stat. 982, 994), by J. Blair Schoenfelt, United States Indian Agent, or to their heirs or legatees, on a pro rata basis in proportion to the amounts appearing opposite their names on such payroll. 1432

Payment to heirs, etc

SEC. 3. (a) If a person entitled to a payment authorized by this Act is deceased, such payment shall be made to his heirs or legatees determined in accordance with the laws, relating to the distribution of personal property, of the Creek Nation if the decedent died before January 1, 1898, or of the State of Arkansas in effect at the time of death if the decedent died before November 16, 1907, or of the State of Oklahoma in effect at the time of death if the decedent died on or after November 16, 1907. For the purposes of this section the decedent shall be regarded as an owner in possession of the payment at the time of his death.

(b) Before a payment authorized by this Act is made to an heir or legatee of a deceased person, proof of death and heirship or bequest satisfactory to the Secretary of the Interior shall be submitted to him, and his findings with respect thereto shall be final and conclusive. Where satisfactory proof of death and heirship or bequest is already available to the Secretary, no additional submission shall be required.

Liens and taxes

SEC. 4. Funds payable under this Act to minors or to persons under legal disability shall be paid to such representatives and under such conditions as the Secretary of the Interior may direct. The distribution of funds under this Act shall not be subject to any lien, except for debts owed to the United States or to Indian organizations indebted to the United States, and shall not be taxable.

Appropriation

SEC. 5. There is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated the sum of $200,000 to remain available until expended, for necessary expenses incident to the distribution of funds authorized by this Act.

SEC. 6. The Secretary of the Interior is authorized to issue rules and regulations necessary for the purposes of this Act.

Approved, August 1, 1955.

PUBLIC LAW 203 CHAPTER 445

August 1, 1955
[H. R. 3123]
69 Stat. 432

AN ACT

To modify the Acts of August 12, 1935 (49 Stat. 571, 584), May 15, 1936 (49 Stat. 1274), July 1, 1946 (60 Stat. 357), August 8, 1946 (60 Stat. 923), and June 30, 1947 (61 Stat. 211), with respect to the recoupment of certain public school construction costs, and to amend the Act of August 17, 1950 (64 Stat. 459), relating to the expenditure of funds for cooperating with the public school board of Walker, Minnesota.

Indians
School costs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Effective on July 1, 1955, the recoupment requirements of the Acts of August 12, 1935 (49 Stat. 571, 584), May 15, 1936 (49 Stat. 1274), July 1, 1946 (60 Stat. 357), August 8, 1946 (60 Stat. 923), and June 30, 1947 (61 Stat. 211), shall become inapplicable to the unrecouped balances of funds expended pursuant to such Acts.

1433
Walker, Minn

⊥SEC. 2. In order to permit the granting of privileges to the public school board at Walker, Minnesota, that are consistent with those granted other public school boards pursuant to the Act of August 31, 1954 (68 Stat. 999), the Act of August 17, 1950 (64 Stat. 459), is hereby amended by striking out the following: "*Provided*, That in consideration of the amount heretofore appropriated and the amount which may be appropriated to carry out the provisions of this section, all Indian children residing in such district shall be admitted to the schools of the district without further cost to the United States for instructional, operation, and maintenance purposes".

Approved, August 1, 1955.

PUBLIC LAW 213 CHAPTER 496

August 3, 1955
[H. R. 605]
69 Stat. 444

AN ACT

To provide for the abolition of the eighty-rod reserved spaces between claims on shore waters in Alaska, and for other purposes.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That section 1 of the Act of May 14, 1898 (30 Stat. 409), as amended by the Act of March 3, 1903 (32 Stat. 1028; 48 U. S. C., 1952 edition, sec. 371), is amended by striking out the following language: "*And provided further*, That no location of scrip, selection, or right along any navigable or other waters shall be made within the distance of eighty rods of any lands, along such waters, theretofore located by means of any such scrip or otherwise;", and "and along such shore a space of at least eighty rods shall be reserved from entry between all such claims;". Alaska. Shore-water claims.

SEC. 2. Section 10 of the Act of May 14, 1898 (30 Stat. 413; 48 U. S. C., 1952 edition, sec. 462), is amended by striking out the following language: "*Provided further*, That there shall be reserved by the United States a space of eighty rods in width between tracts sold or entered under the provisions of this Act on lands abutting on any navigable stream, inlet, gulf, bay, or seashore, and that the Secretary of the Interior may grant the use of such reserve lands abutting on the waterfront to any citizen or association of citizens, or to any corporation incorporated under the laws of the United States or under the laws of any State or Territory, for landings, and wharves, with the provision that the public shall have access to and proper use of such wharves, and landings, at reasonable rates of toll to be prescribed by said Secretary, and a roadway sixty feet in width, parallel to the shore line as near as may be practicable, shall be reserved for the use of the public as a highway:".

SEC. 3. The Act of June 5, 1920 (41 Stat. 1059; 48 U. S. C., 1952 edition, sec. 372), is amended by striking out the following language: "reserve from sale and entry a space of at least eighty rods in width between tracts sold or entered under the provisions thereof along the shore of any navigable water, and", and by also striking out the following language: "restore to entry and disposition such reserved spaces and may".

SEC. 4. All lands restored from reservation by this Act shall be restored to all forms of appropriation under the public land laws applicable to the Territory of Alaska, but a restoration from reservation by this Act shall not be construed as a revocation of an order of withdrawal within the meaning of section 4 of the Act of September 27, 1944 (58 Stat. 748), as amended (43 U. S. C., 1952 edition, sec. 282). Restoration of lands from reservation

SEC. 5. All conveyances of lands opened for sale, entry, or settlement under this Act shall be subject to (a) grants heretofore made by the Secretary of the Interior for the use of reserved lands abutting on the waterfront to any citizen or association of citizens, or to any corporation incorporated under the laws of the United States or under the laws of any State or Territory, for landings, and wharves, as provided by section 10 of the Act of May 14, 1898 (30 Stat. 409; 48 U. S. C., 1952 edition, sec. 462), with an easement for not more than a one hundred-foot right-of-way for an access road to such wharves and landings, and (b) reservations made by the Secretary of the Interior for the use of the natives of Alaska of tracts of land along the waterfront of any stream, inlet, bay, or seashore for landing places for canoes and other craft used by the natives, as provided by said section 10 (30 Stat. 409; 48 U. S. C., 1952 edition, sec. 464), together ⊥with necessary right-of-way for access to such natives to such landing places: *Provided*, That any such reserve or grant for use for landings, wharves, or landing places which are no longer being used may upon proper evidence of nonuse be revoked and abrogated and conveyances under this Act made free and clear thereof. Conveyances. ⊥445

Approved, August 3, 1955.

August 3, 1955
[H. R. 4001]
69 Stat. 445

PUBLIC LAW 215 CHAPTER 498

AN ACT

To provide for the management and disposition of certain public domain lands in the State of Oklahoma.

Oklahoma.
Management and disposition of Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to provide, in accordance with the terms of this Act, for the management and disposition of any interest of the United States in those lands which were reconveyed to the United States by deeds of conveyance executed on November 29, 1950, by the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation, or which have been, or may be, reconveyed to the United States by any further and supplemental conveyances made under the authority of the Interior Department Appropriation Act of June 28, 1944 (58 Stat. 463, 483), the joint resolution of June 24, 1948 (62 Stat. 596), and the First Deficiency Appropriation Act of May 24, 1949 (63 Stat. 76, 84).

SEC. 2. (a) The Secretary of the Interior, in order to facilitate the administration and management of the lands, to remove any clouds on the titles of any persons to interests in such lands, or to establish definite boundaries for such lands, may (1) sell any tract of the lands at public sale to the highest responsible bidder, or at private sale; or

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⊥(2) relinquish any tract of such lands, with or without compensation, to any person having a legal or equitable interest therein. In passing upon a proposed disposition of any tract of land under this subsection, the Secretary shall take into account the uses to which the tract involved is most suited and whether it may be better utilized in private ownership.

(b) In selling any tract under subsection (a) of this section, the Secretary shall make such provision as he may deem appropriate to give a preference right to any occupant of the tract who has, or whose predecessors in interest have, lawfully and continuously occupied the tract for home, business, or school purposes since April 30, 1949, or earlier. The Secretary shall give any occupant who is lawfully in possession of a tract at the time of its offer for sale, an appropriate period within which such occupant may remove improvements constructed by him or by his predecessors in interest, or may elect to receive compensation for such improvements from the successful purchaser of the tract in an amount equal to the appraised value of the improvements as determined by the Secretary.

(c) In disposing of an interest in any tract under this Act, the Secretary may also give a preference right, when he deems it appropriate, to any owner of an interest in any land adjoining the tract to be disposed.

SEC. 3. (a) The Secretary may sell or lease any tract under the provisions of the Act of June 4, 1954 (68 Stat. 173; 43 U. S. C., sec. 869, and the following), to the State of Oklahoma or any other agency or organization qualified under that Act.

(b) Upon the filing of an application by an appropriate local governing body within two years after the first issuance of regulations under this Act, the Secretary of the Interior may relinquish or convey to such body, without compensation, the surface rights to any tract of the lands which, prior to the transfer of title to the United States, was set apart for streets, alleys, or other public purposes, even though not legally dedicated to such purposes.

Quitclaim deeds.

SEC. 4. (a) The Secretary of the Interior shall issue quitclaim deeds for any lands disposed of under section 2 or section 3 (b) of this Act. The Secretary shall fix through appraisal the minimum price to be paid for lands that are offered for sale under subsection (a) (1) of section 2. If any lands are relinquished under subsection (a) (2) of

section 2, without compensation, the Secretary shall require the grantee to pay a service charge of not less than $10.

(b) Any deed for lands disposed of under section 2 of this Act shall contain a reservation to the United States of all minerals deposits, together with the right to prospect for, mine, and remove the same under applicable provisions of law. Any deed for lands disposed of under this Act shall contain any provision which the Secretary determines is necessary in order to protect the rights of the holders of existing interests in the lands, or to permit access to any of the lands in which the Federal Government retains an interest. Reservation to U. S.

(c) If a survey is necessary to describe properly any lands that are to be disposed of under this Act, the Secretary shall require the proposed grantee to pay the proportionate cost of such survey. Surveys.

SEC. 5. The Secretary of the Interior may issue easements, leases, or permits for the development and use of nonmineral resources of the lands or may sell such resources. Easements, etc.

SEC. 6. The Secretary of the Interior may accept contributions or donations of money, services, and property to further the provisions of this Act. Moneys received under this section shall be covered into the Treasury and are hereby appropriated and made available until ⊥expended, as the Secretary may direct, for payment of expenses ⊥447 incident to the function toward the administration of which the contributions were made and for refunds to contributors of amounts contributed by them in excess of their appropriate share of such expenses, as determined by the Secretary. Contributions.

SEC. 7. The Secretary of the Interior may issue such regulations as may be necessary or appropriate to carry out the provisions of this Act, including regulations providing for the protection of the surface and other nonmineral values of lands disposed of under this Act whenever any mineral rights reserved to the United States are exercised by it or under its authority. Regulations.

SEC. 8. All moneys realized under the provisions of this Act, except moneys received under the provisions of section 6, shall be deposited in the Treasury as miscellaneous receipts.

Approved, August 3, 1955.

PUBLIC LAW 219 CHAPTER 541

AN ACT

August 4, 1955
[H. R. 7278]

69 Stat. 450

Making supplemental appropriations for the fiscal year ending June 30, 1956, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1956") for the fiscal year ending June 30, 1956, and for other purposes, namely: Supplemental Appropriation Act, 1956.

* * *

⊥CHAPTER VII—DEPARTMENT OF THE INTERIOR ⊥459

* * *

BUREAU OF INDIAN AFFAIRS

PAYMENT TO CHEYENNE RIVER SIOUX TRIBE OF INDIANS

For deposit in the United States Treasury to the credit of the Cheyenne River Sioux Tribe of Indians for rehabilitation and relocation in accordance with the provisions of section V of the Act of September 3, 1954 (Public Law 776), $5,160,000. 68 Stat. 1192.

⊥TRIBAL FUNDS ⊥460

For an additional amount for "Tribal funds", $200,000, from funds to

25 U. S. C. 651-657

the credit of the Indians of California as defined and enrolled under the Act of May 18, 1928 (45 Stat. 602), as amended, the successors in interest to claims against the United States as therein provided, for payment of expenses, other than attorney fees, heretofore or hereafter incurred by attorneys prosecuting the claims of the Indians of California before the Indian Claims Commission under contracts approved by the Secretary of the Interior.

* * *

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⊥CHAPTER XV—GENERAL PROVISIONS

UNIFORM ALLOWANCES

SEC. 1501. The following appropriations and funds available to the departments and agencies, for the fiscal year 1956, shall be available for uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (68 Stat. 1114 and 69 Stat. 49):

5 U. S. C. 2131 note.

* * *

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⊥Department of Health, Education, and Welfare:

* * *

"Indian health activities";

* * *

Department of the Interior:

* * *

Bureau of Indian Affairs: "Education and welfare services";

* * *

Approved, August 4, 1955.

PUBLIC LAW 247 CHAPTER 573

August 5, 1955
[H. R. 2972]

69 Stat. 534

AN ACT

To require the recordation of scrip, lieu selection, and similar rights.

Land scrips.
Recordation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any owner of, and any person claiming rights to, Valentine scrip, issued under the Act of April 5, 1872 (17 Stat. 649); Sioux Half-Breed scrip, issued under the Act of July 17, 1854 (10 Stat. 304); Supreme Court scrip, issued under the Acts of June 22, 1860 (12 Stat. 85), March 2, 1867 ⊥(14 Stat. 544), and June 10, 1872 (17 Stat. 378); Surveyor-General scrip, issued under the Act of June 2, 1858 (11 Stat. 294); a soldier's additional homestead right, granted by sections 2306 and 2307 of the Revised Statutes; a forest lieu selection right, assertable under the Act of March 3, 1905 (33 Stat. 1264); a lieu selection right conferred by the Act of July 1, 1898 (30 Stat. 597); a bounty land warrant issued under the Act of March 3, 1855 (10 Stat. 701); or any lieu selection or scrip right or bounty land warrant, or right in the nature of scrip issued under any Act of Congress not enumerated herein (except the indemnity selection rights of any State, or the Territory of Alaska), shall, within two years from the effective date of this Act, present his holdings or claim for recordation by the Department of the Interior.

1535

43 U. S. C. 274-278

SEC. 2. In the case of a transfer after the effective date of this Act, by assignment, inheritance, operation of law, or otherwise of a holding or claim of any right recorded under this Act, the holding or claim of right so transferred shall be presented to the Department of the Interior within six months after such transfer, for recordation by it; except that where such transfer occurs within the period of two years from the effective date of this Act and the prior owner has not complied with provisions of this Act, the owner or claimant by transfer shall have the remainder of such period or a period of six months,

whichever is the longer, within which to present his claims or holdings for recordation.

SEC. 3. There shall be endorsed on the evidence of the right or warrant each recordation thereof.

SEC. 4. Claims or holdings not presented for recordation, as prescribed herein, shall not thereafter be accepted by the Secretary of the Interior for recordation or as a basis for the acquisition of lands.

SEC. 5. Within thirty days after the effective date of this Act, the Secretary of the Interior shall cause to be published in the Federal Register a notice setting forth the recordation requirements of this Act. Within one year after the effective date of this Act the Secretary shall also cause notices of the recordation requirements of this Act to be published in such newspapers, posted in such public offices, and given publicity by such other means as he deems feasible and appropriate for the dissemination of information concerning the recordation requirements of this Act to persons who may have holdings or claims that are subject to such requirements.

Publication in FR

SEC. 6. The Secretary of the Interior is authorized to make rules and regulations to carry out the provisions of this Act.

Approved, August 5, 1955.

PUBLIC LAW 252 CHAPTER 578

AN ACT

August 5, 1955
[H. R. 727]
69 Stat. 538

To authorize the conveyance of certain land to the Pecwan Union School District for use as the site of a school.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide a site for a school, the Secretary of the Interior is authorized and directed to convey to the Pecwan Union School District of the State of California, all of the right, title, and interest (other than mineral rights) of the United States and of the Indians who have an interest therein, in and to that tract of land containing fifteen acres and more particularly described as follows:

Pecwan Union School District, Calif.
Conveyance.

The southeast quarter northeast quarter southeast quarter southeast quarter and northeast quarter southeast quarter southeast quarter southeast quarter, section 7, containing five acres, and the south half northwest quarter southwest quarter southwest quarter and the north half southwest quarter southwest quarter southwest quarter, section 8, containing ten acres, township 11 north, range 3 east, Humboldt meridian, California.

Approved, August 5, 1955.

PUBLIC LAW 255 CHAPTER 615

AN ACT

August 9, 1955
[S. 34]
69 Stat. 539

To authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any restricted Indian lands, whether tribally or individually owned, may be leased by the Indian owners, with the approval of the Secretary of the Interior, for public, religious, educational, recreational, residential, or business purposes, including the development or utilization of natural resources in connection with operations under such leases, for grazing purposes, and for those farming purposes which require the making of a substantial investment in the improvement of the land for the production of specialized crops as determined by said Secretary. All leases so granted shall be for a term of not to exceed twenty-five years, excepting leases for grazing purposes, which shall be for a term

Indians.
Leasing of restricted lands.

of not to exceed ten years. Leases for public, religious, educational, recreational, residential, or business purposes with the consent of both parties may include provisions authorizing their renewal for one additional term of not to exceed twenty-five years, and all leases and renewals shall be made under such terms and regulations as may be prescribed by the Secretary of the Interior.

SEC. 2. Restricted lands of deceased Indians may be leased under this Act, for the benefit of their heirs or devisees, in the circumstances
1540 ⊥and by the persons prescribed in the Act of July 8, 1940 (54 Stat. 745; 25 U. S. C., 1946 edition, sec. 380, as amended): *Provided*, That if the authority of the Secretary under this section is delegated to any subordinate official, then any heir or devisee shall have the right to appeal the action of any such official to the Secretary under such rules and regulations as he may prescribe.

SEC. 3. The Act of March 3, 1909 (35 Stat. 783; 25 U. S. C. 396) is amended by inserting before the period at the end thereof the following proviso: ": *Provided*, That if the said allottee is deceased and the heirs to or devisees of any interest in the allotment have not been determined, or, if determined, some or all of them cannot be located, the Secretary of the Interior may offer for sale leases for mining purposes to the highest responsible qualified bidder, at public auction, or on sealed bids, after notice and advertisement, upon such terms and conditions as the Secretary of the Interior may prescribe. The Secretary of the Interior shall have the right to reject all bids whenever in his judgment the interests of the Indians will be served by so doing, and to readvertise such lease for sale".

SEC. 4. No rent or other consideration for the use of land leased under this Act shall be paid or collected more than one year in advance, unless so provided in the lease.

SEC. 5. The Secretary of the Interior shall approve no lease pursuant to this Act that contains any provision that will prevent or delay a termination of Federal trust responsibilities with respect to the land during the term of the lease.

SEC. 6. Nothing contained in this Act shall be construed to repeal any authority to lease restricted Indian lands conferred by or pursuant to any other provision of law.

Approved, August 9, 1955.

PUBLIC LAW 261 CHAPTER 621

August 9, 1955
[S. 535]

AN ACT

69 Stat. 543

To provide for the conveyance to the State of North Dakota, for use as a State historic site, of the land where Chief Sitting Bull was originally buried.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey to the State of North Dakota for use as a State historic site all right, title, and interest, except as provided in section 2, of the United States and the Standing Rock Sioux Tribe of Indians to that parcel of land within the Standing Rock Reservation, North Dakota, which is the site where Chief Sitting Bull was originally buried and is more ⊥particularly described as
1544 follows: The southeast quarter of the southeast quarter of the southwest quarter of the southeast quarter, and the southwest quarter of the southwest quarter of the southeast quarter of the southeast quarter of section 12, township 130 north, range 80 west, fifth principal meridian, consisting of five acres more or less.

North Dakota.
Sitting Bull burial site.

SEC. 2. The conveyance authorized by this Act shall—

(a) exclude conveyance of any rights to oil, gas, or other mineral deposits in the land conveyed, but the development of any such mineral deposits, which would in any manner interfere with the

use of such land as a State historic site, shall not be permitted so long as such land is so used; and

(b) be subject to the condition that in the event the land conveyed should cease to be used as a State historic site title to such land shall revert to the United States to be held in the same manner it was held prior to such conveyance.

Approved, August 9, 1955.

PUBLIC LAW 263 CHAPTER 623

AN ACT

August 9, 1955
[S. 878]
69 Stat. 544

To amend the Act extending the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah so as to authorize such State to exchange certain mineral lands for other lands mineral in character.

Uintah and Ouray Indian Reservation, Utah.
Mineral land exchange.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes", approved March 11, 1948 (62 Stat. 72), is amended by striking out the first sentence of such section and inserting in lieu thereof the following: "The State of Utah may relinquish to the United States for the benefit of the Indians of the said Ute Reservation such tracts of school or other State-owned lands, surveyed or unsurveyed, within the said reserved area, as it may see fit (reserving to said State, if it so desires, such rights as it may possess to any minerals underlying such State lands as may be relinquished), and said State shall have the right to make selections, including mineral lands and the minerals therein (including oil and gas) if the lands relinquished are mineral in character and rights to the minerals in such lands are relinquished along with the lands, in lieu thereof ⊥outside of the area hereby withdrawn, equal in value, as determined ⊥545
by the Secretary of the Interior, to the lands relinquished, from the vacant, unappropriated public lands, within the State of Utah, such lieu selections to be made in the manner provided in the enabling Act pertaining to said State, except as to the payment of fees or commissions, which are hereby waived. Valid rights and claims of individuals initiated under Federal law with respect to any lands so selected and prior to such selection shall not be affected by such selection."

Approved, August 9, 1955.

PUBLIC LAW 276 CHAPTER 636

AN ACT

August 9, 1955
[S. 1906]
69 Stat. 555

To authorize the Pueblos of San Lorenzo and Pojoaque in New Mexico to sell certain lands to the Navaho Tribe, and for other purposes.

Pueblo Indians.
Sale of land to Navaho Tribe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pueblo of San Lorenzo, sometimes known as the Pueblo of Picuris, and the Pueblo of Pojoaque in New Mexico are hereby severally authorized to sell to the Navaho Tribe of Indians all of the right, title, and interest of each of said Pueblos in and to any of the lands situated in townships 6, 7, and 8 north, range 15 west, and township 7 north, range 16 west, New Mexico principal meridian, in Valencia County, New Mexico, the title to which is now held by the United States in trust for either of said Pueblos; and the Navaho Tribe is hereby authorized to purchase all of the right, title, and interest of said Pueblos in and to any of the above-described lands, whereupon the title to the lands so purchased shall be held by the United States in trust for the Navaho Tribe. All sales under this section shall be for such prices and on such terms as may be agreed upon by the governing bodies of the Pueblo making the sale and of the Navaho Tribe, and as may ⊥be approved by the ⊥556

Secretary of the Interior. The consideration for each sale, when so agreed upon and approved, shall be paid out of such funds of the Navaho Tribe as may be designated for this purpose by its governing body. The Secretary of the Interior and the appropriate officers of said Pueblos are authorized to execute such instruments of conveyance as may be necessary or appropriate to effectuate the transfer of title to any lands purchased by the Navaho Tribe under this section.

SEC. 2. All proceeds received from each of the sales authorized by section 1 of this Act shall be deposited in the Treasury of the United States to the credit of the Pueblo making the sale in the account established for such Pueblo pursuant to section 19 of the Act of June 7, 1924 (43 Stat. 636, 642), and, together with any other funds heretofore or hereafter deposited in the same account, shall be available for expenditure or advance for such purposes, except per capita payments, as may be designated by the governing body of such Pueblo and approved by the Secretary of the Interior.

SEC. 3. For the purpose of consolidating the lands of the Navaho Tribe, the Secretary of the Interior, with the consent of the governing body of said tribe, may exchange any lands purchased under section 1 of this Act for any other lands situated in McKinley or Valencia Counties, New Mexico, that are owned by the United States, by the State of New Mexico, or a political subdivision thereof, or by any person; and, for the same purpose, the head of any department or agency having administrative jurisdiction over lands situated in said counties that are owned by the United States may exchange any such lands for lands purchased under section 1 of this Act.

Approved, August 9, 1955.

PUBLIC LAW 278 CHAPTER 638

AN ACT

August 9, 1955
[S. 2087]
69 Stat. 557

To amend the Act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, so as to permit per capita payments to the individual members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming, to be made quarterly.

Shoshone and Arapahoe Tribes
Per capita payments
25 U.S.C. 613

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapahoe Tribes of the Wind River Reservation" approved May 19, 1947 (ch. 80, 61 Stat. 102), as amended, is hereby amended by striking the words "and the first day of March" wherever it appears therein, and inserting in lieu thereof "the first day of December, the first day of March, and the first day of June".

Approved, August 9, 1955.

PUBLIC LAW 281 CHAPTER 641

AN ACT

August 9, 1955
[S. 2197]
69 Stat. 559

To authorize the Secretary of the Interior to distribute equally to members of the Kaw Tribe of Indians certain moneys to the credit of the tribe in the United States Treasury.

Kaw Tribe
Distribution of funds

Be in enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to distribute equally among the members of the Kaw Tribe of Indians whose names appear on the roll prepared pursuant to the Act of July 1, 1902 (32 Stat. 636), and the persons who were allotted under the Act of April 29, 1922 (42 Stat. 1589), all funds on deposit in the Treasury of the United States to the credit of the Kansas or Kaw Tribe of Indians, including funds appropriated by the Act of April 22, 1955 (69 Stat. 28), for the payment of a

judgment against the United States. The share of any deceased member shall be distributed among his heirs or devisees.

Approved, August 9, 1955.

PUBLIC LAW 348 CHAPTER 786

AN ACT

August 11, 1955
[S. 2198]

69 Stat. 666

To extend the period of restrictions on lands belonging to Indians of the Five Civilized Tribes in Oklahoma, and for other purposes.

Five Civilized Tribes, Okla.
Land restrictions.
[667]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to the provisions of section 2 of this Act, the period of restrictions against alienation, lease, mortage, or other encumbrance of lands ⊥belonging to Indians of the Five Civilized Tribes in Oklahoma of one-half degree or more Indian blood, which period was extended to April 26, 1956, by the Act of May 10, 1928 (45 Stat. 495), is hereby extended for the lives of the Indians who own such lands subject to such restrictions on the date of this Act.

Removal

SEC. 2. (a) Any Indian of the Five Civilized Tribes may apply to the Secretary of the Interior for an order removing restrictions. Within ninety days from the date of the application, the Secretary shall either issue the order or disapprove the application. The order shall be issued if in the judgment of the Secretary the applicant has sufficient ability, knowledge, experience, and judgment to enable him, or her, to manage his, or her, business affairs, including the administration, use, investment, and disposition of any property turned over to such person and the income or proceeds therefrom, with such reasonable degree of prudence and wisdom as will be apt to prevent him, or her, from losing such property or the benefits thereof.

(b) The Secretary of the Interior is authorized and directed to issue, without application, to any Indian of the Five Civilized Tribes, who in the judgment of the Secretary is able to manage his, or her, own affairs, in accordance with the standard specified in subsection (a) of this section, an order removing restrictions that will become effective six months after notice of the order is given to such Indian, unless it is set aside by a county court in accordance with proceedings initiated prior to such time pursuant to subsection (c) of this section. The timely initiation of such proceedings shall stay the effective date of an order until the proceedings are concluded. When the Secretary issues an order pursuant to this subsection, he shall notify the board of county commissioners for the county in which the Indian resides.

(c) If the Secretary of the Interior disapproves, or fails either to approve or disapprove, an application within the ninety-day period prescribed in subsection (a) of this section, the Indian affected may apply to the county court for the county in which he, or she, resides for an order removing restrictions. If the Secretary issues an order removing restrictions without application therefor in accordance with the provisions of subsection (b) of this section, either the Indian affected or the board of county commissioners may apply to the county court for the county in which the Indian resides for an order setting aside such order. The court shall set a hearing date not less than thirty days from the day it receives the application, and, under rules adopted by the court, notify the board of county commissioners, the welfare departments of the State and county governments, the local representative of the Commissioner of Indian Affairs, and any other persons the court considers appropriate. At the hearing the court shall examine the Indian and may require the persons who appear before the court to give testimony in the matter of the ability of the Indian to manage his, or her, own affairs. The Secretary of the Interior, and the attorney for the county in which such court is located, shall be given an opportunity to appear at such hearings and

Hearings

to participate in the examination of the Indian and other witnesses. The evidence taken at the hearing shall be transcribed and filed of record in the case. In determining capability, the court shall apply the standard specified in subsection (a) of this section with respect to determinations by the Secretary. If the court finds that the Indian is able to manage his, or her, own affairs, it shall issue an order removing restrictions or deny the application for an order to set aside an order of the Secretary issued without application therefor, as the case ⊥ may be. If the court does not find that the Indian is able to manage his, or her, own affairs, it shall deny the application for an order removing restrictions, or set aside an order of the Secretary issued without application therefor, as the case may be. The court shall furnish to the Secretary and to the applicant one certified copy of any final order issued by it. Any final order of the court shall be subject to appeal by the applicant, by the Secretary, or by the board of county commissioners in accordance with the probate laws of the State of Oklahoma, except that no appeal bond shall be required in an appeal by the Secretary.

⊥668

(d) When an order removing restrictions becomes effective, the Secretary shall cause to be turned over to the applicant full ownership and control of any money and property that is held in trust for him or that is held subject to a restriction against alienation imposed by the United States, issuing, in the case of land, such title document as may be appropriate: *Provided*, That the Secretary may make such provisions as he deems necessary to insure payment of money loaned to any such Indian by the Federal Government or by an Indian tribe: *Provided further*, That nothing herein contained shall abrogate the interest of any lessee or permittee in any lease, contract, or permit that is outstanding when an order removing restrictions becomes effective.

SEC. 3. Section 23 of the Act of April 26, 1906 (34 Stat. 137), as amended by section 8 of the Act of May 27, 1908 (34 Stat. 312), which expires on April 26, 1956, is continued in force with respect to the restricted properties of Indians of the Five Civilized Tribes as long as such properties remain restricted.

25 U. S. C. 355 note.

SEC. 4. Except as provided in section 2 of this Act, nothing in this Act shall be construed to repeal or to limit the application of the Act of August 4, 1947 (61 Stat. 731), the provisions of which shall continue in effect until otherwise provided by Congress.

25 U. S. C. 355 note, 502.

Tax exemptions.

SEC. 5. Any existing exemption from taxation that constitutes a vested property right shall continue in force and effect until it terminates by virtue of its own limitations.

Approved, August 11, 1955.

PUBLIC LAW 353 CHAPTER 791

AN ACT

August 11, 1955
[S. 1391]

69 Stat. 675

Granting the consent of Congress to the States of California and Nevada to negotiate and enter into a compact with respect to the distribution and use of the waters of the Truckee, Carson, and Walker Rivers, Lake Tahoe, and the tributaries of such rivers and lake in such States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the States of California and Nevada to negotiate and enter into a compact with respect to the distribution and use of the waters of the Truckee, Carson, and Walker Rivers, Lake Tahoe, and the tributaries of such rivers and lake in such States.

California and Nevada.
Water compact.

SEC. 2. Such consent is given upon the following conditions:

(1) A representative of the United States, who shall be appointed by the President of the United States, shall participate in such negotiations and shall make a report to the President and to the Congress of the proceedings and of any compact entered into; and

Reports.

(2) Such compact shall not be binding or obligatory upon either of such States unless and until it has been ratified by the legislature of each of such States and consented to by the Congress of the United States.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 11, 1955.

PUBLIC LAW 382 CHAPTER 868

AN ACT

August 12, 1955
[H. R. 7245]
69 Stat. 713

To amend Public Laws 815 and 874, Eighty-first Congress, which provide for assistance to local educational agencies in areas affected by Federal activities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Educational agencies in Federally affected areas.

* * *

ASSISTANCE UNDER PUBLIC LAW 815 FOR CHILDREN RESIDING ON INDIAN LAND OUTSIDE SCHOOL DISTRICTS

SEC. 6. (a) Paragraph (1) of section 401(a) of such Act is amended by inserting before the semicolon the following: "or that the total number of such children who reside on Indian lands located outside the school district of such agency equals or exceeds 100".

67 Stat. 526.
20 U. S. C. 311.

(b) Such section 401(a) is further amended by adding at the end thereof the following: "Assistance may be furnished under this subsection without regard to paragraph (2) (but subject to the other provisions of this subsection and subsection (c)) to any local educational agency which provides free public education for children who reside on Indian lands located outside its school district. For purposes of this subsection 'Indian lands' means Indian reservations or other real property referred to in the third sentence of section 210 (1).".

(c) Section 401 (b) of such Act is amended (1) by striking out "the succeeding fiscal year" and inserting in lieu thereof "the two succeeding fiscal years", and (2) by striking out "June 30, 1955" and inserting in lieu thereof "June 30, 1956".

* * *

Approved, August 12, 1955.

PUBLIC LAW 390 CHAPTER 880

AN ACT

August 14, 1955
[S. 2039]
69 Stat. 725

To authorize the Secretary of the Interior to lease any unassigned lands on the Colorado River Indian Reservation, Arizona, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for a period of two years after the date of this Act the Secretary of the Interior is authorized to lease any unassigned lands on the Colorado River Indian Reservation, Arizona, that were set apart by the United States for the Indians of the Colorado River and its tributaries, for public, religious, educational, recreational, residential, or business purposes, including the development or utilization of natural resources in connection with operations under such leases, for grazing purposes, and for those farming purposes which require the making of a substantial investment in the improvement of the land for the production of specialized crops as determined by said Secretary. All leases so granted shall be for a term of not to exceed twenty-five years, excepting leases for grazing purposes, which shall be for a term of not to exceed ten years. Leases for public, religious, educational, recreational, residential, or business purposes with the consent of both parties may include provisions authorizing their renewal for an

Colorado River Indian Reservation.

Term of leases.

Income from leases

additional term of not to exceed twenty-five years, and all leases and renewals shall be made under such terms and regulations as may be prescribed by the Secretary of the Interior. Income from leases on land in the southern reserve, as defined in ordinance numbered 5 of the Colorado River Indian Tribes, dated February 3, 1945, shall be segregated from income from leases on land in the northern reserve, as defined by such ordinance, and from leases on land on the California side of the Colorado River. All income received within two years after the date of this Act and prior to determination of the beneficial ownership of the lands, from leases on land in the northern reserve and land on the California side of the Colorado River may be expended by the Secretary for the benefit of the Colorado River Indian Tribes and their members. All income received within two years after the date of this Act and prior to determination of the beneficial ownership of the lands, from leases on land in the southern reserve may be expended by the Secretary for the development or improvement of any land in the southern reserve. All income received more than two years after the date of this act shall be held in a special account until the beneficial ownership of the land on the reservation has been determined. All income received after beneficial ownership has been determined shall be held in trust for the beneficial owners of the land from which the income was derived and shall be expended as otherwise authorized by law.

SEC. 2. Nothing contained in this Act shall be construed as recognizing any ownership in the Colorado River Indian Tribes or any other Indians or group of Indians, nor shall this Act be taken as creating any inference of liability or as impairing or affecting any of the defenses of the United States in any litigation now pending before the Court of Claims or the Indian Claims Commission.

Approved, August 14, 1955.

PRIVATE LAWS OF THE EIGHTY-FOURTH CONGRESS, FIRST SESSION, 1955

PRIVATE LAW 325 CHAPTER 566

August 4, 1955
[H. R. 910]

69 Stat. A111

AN ACT

To authorize and direct the sale of certain land in Alaska to John Ekonomos, of the Fairbanks Precinct, Alaska.

John Ekonomos

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Ekonomos, of the Fairbanks Precinct, Alaska, is hereby authorized, for a period of one year from and after the effective date of this Act, to apply for the purchase of all or any part of the unsurveyed public lands in Alaska described in this section, and the Secretary of the Interior is directed to convey the lands applied for. The area subject to application and sale under this Act is that public land which when surveyed will constitute the southwest quarter of the northwest quarter, section 28, township 2 south, range 3 east, Fairbanks meridian, Alaska, containing forty acres: *Provided*, That the purchase price for the land shall be the reasonable value thereof without improvements, as determined by the Secretary of the Interior, but not less than $1.25 per acre: *Provided further*, That in the deed conveying said lands there shall be reserved to the United States and/or the Territory of Alaska the right to flood such lands intermittently in connection with the operation and maintenance of the Tanana River and Chena Slough flood control project.

Approved, August 4, 1955.

PRIVATE LAW 442 CHAPTER 813

August 11, 1955
[S. 1397]

69 Stat. A151

AN ACT

Providing for the conveyance of certain lands to Saint Louis Church of Dunseith, Dunseith, North Dakota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to transfer, with the consent of the Turtle Mountain Advisory Committee, to Saint Louis Church of Dunseith, Dunseith, North Dakota, all right, title, and interest of the United States and of the Turtle Mountain Band of Chippewa Indians in and to the following-described lands: The east half of the southeast quarter of the southeast quarter of the southwest quarter, and the west half of the southwest quarter of the southwest quarter of the southeast quarter, of section 18, township 162 north, range 72 west, fifth principal meridian, excepting and reserving therefrom one hundred feet along the section line for highway purposes.

St. Louis Church of Dunseith, N. Dak.

Approved, August 11, 1955.

PUBLIC LAWS OF THE EIGHTY-FOURTH CONGRESS, SECOND SESSION, 1956

PUBLIC LAW 443 CHAPTER 100

AN ACT

March 29, 1956
[H. R. 585]
70 Stat. 58

To authorize the conveyance to Lake County, California, of the Lower Lake Rancheria, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to sell to the county of Lake, California, for the purpose of establishing an airport, all right, title, and interest of the United States in and to real property described as south half northeast quarter, and lot 2, section 34, township 13 north, range 7 west, Mount Diablo meridian, containing 140.46 acres, known as the Lower Lake Rancheria, except for a 41-acre tract described in section 2. The deed shall be made from the Secretary ⊥of the Interior to the Lake County Board of Supervisors, and the purchase price shall be the fair market value of such property at the time of sale as determined by the Secretary of the Interior. The proceeds of the sale shall be deposited in the Treasury of the United States to the credit of the Indians of California in their 4 per centum judgment fund established under section 6 of the Act of May 18, 1928 (ch. 623, 45 Stat. 601, 603).

Lower Lake Rancheria, Lake County, California.
Conveyance.

⊥59

25 U. S. C. 656.

SEC. 2. The Secretary of the Interior is authorized and directed to issue a patent in fee or an unrestricted deed of conveyance to Harry Johnson for the following-described land, to wit: Beginning at a point on the east line of lot 2, of section 34, township 13 north, range 7 west, Mount Diablo base and meridian, that is north 48 degrees 21 minutes 45.5 seconds west, 2,561.46 feet from the southeast corner of section 34, said township and range; and from said point of beginning running thence north 48 degrees 17 minutes 30 seconds west, 1,714.81 feet to a point on the west line of lot 2, of said section 34, that is north 48 degrees 19 minutes 42.2 seconds west, 5,141.47 feet from the southeast corner of said section 34; thence south, along the west line of lot 2 of said section 34 to the meander line of Clear Lake; thence southeasterly, along said meander line of Clear Lake, to the east line of lot 2, said section 34; and thence north, along the east line of lot 2, said section 34, to the point of beginning, containing 41 acres more or less.

Harry Johnson
Post, p. 595.

Approved, March 29, 1956.

PUBLIC LAW 444 CHAPTER 101

AN ACT

March 29, 1956
[H. R. 622]
70 Stat. 59

To provide for the release by the United States of its rights and interests in certain land located in Saginaw County, Michigan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States hereby relinquishes to the owner or owners of certain land in

Saginaw County, Mich.
Release of U.S. interest, etc.

Saginaw County all rights which it may have under article 7 of the treaty with the Chippewa Nation of Indians in 1819 (7 Stat. 205) to construct roads through such land. Such land, which was granted by the United States to James Riley in 1823 pursuant to such treaty contains approximately 640.0 acres and is more particularly described as follows:

Beginning at a post on the bank of the Saginaw River, the northwest corner of the fraction of section 25, east of the Saginaw River in township 12 north of range 4 east from which an Ash 10 inches in diameter bears south 24 degrees east distant 20 links and a Maple 7 inches in diameter bears north 18 degrees west distant 12½ links, thence east 115 chains and 80 links to a post on the line between ranges 4 and 5 east from which an Elm 20 inches in diameter bears south 17 degrees west distant 6 links, and an Ironwood 8 inches in diameter bears north 17 degrees east distant 6 links; thence north 62 chains to a post from which a Sugartree 8 inches in diameter bears north 26 degrees east distant 15 links, and a White Oak 36 inches in diameter bears south 16 degrees 30 minutes east distant 44 links, thence west 72 chains and 46 links to a post on the east bank, Saginaw River, from which a Maple 12 inches in diameter bears south 62 degrees west distant 20 links, and an Ash 12 inches in diameter bears north 64 degrees east distant 113 links, thence up the said river with the meanders thereof to the place of beginning.

Approved, March 29, 1956.

PUBLIC LAW 450 CHAPTER 107

AN ACT

March 29, 1956
[H. R. 4802]
70 Stat. 62

To authorize the execution of mortgages and deeds of trust on individual Indian trust or restricted land.

Indians.
Mortgages and deeds of trust.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the individual Indian owners of any land which either is held by the United States in trust for them or is subject to a restriction against alienation imposed by the United States are authorized, subject to approval by the ⊥Secretary of the Interior, to execute a mortgage or deed of trust to such land. Such land shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of the State or Territory in which the land is located. For the purpose of any foreclosure or sale proceeding the Indian owners shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the proceeding, and any conveyance of the land pursuant to the proceeding shall divest the United States of title to the land. All mortgages and deeds of trust to such land heretofore approved by the Secretary of the Interior are ratified and confirmed.

⊥63

Approved, March 29, 1956.

PUBLIC LAW 453 CHAPTER 110

AN ACT

March 29, 1956
[H. R. 6022]
70 Stat. 64

To provide for the relocation of the Trenton Massacre Canyon Monument presently located near Trenton, Nebraska.

Trenton Massacre Canyon Monument, Nebr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall relocate the Trenton Massacre Canyon Monument near Trenton, Nebraska, to a site near United States Highway Numbered 34 to be selected by the Chamber of Commerce of Trenton, Nebraska.

SEC. 2. This Act shall not be construed to authorize the Secretary of the Interior to acquire real property.

Approved, March 29, 1956.

PUBLIC LAW 480 CHAPTER 183

AN ACT

April 6, 1956
[H. R. 6625]
70 Stat. 103

To provide for the transfer of title to certain land and the improvements thereon to the Pueblo of San Lorenzo (Pueblo of Picuris), in New Mexico, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to transfer by deed to the Pueblo of San Lorenzo (Pueblo of Picuris), in New Mexico, title to certain tracts of land, together with the improvements thereon, situate, lying, and being within the Pueblo of Picuris Grant heretofore confirmed to the said Pueblo of Picuris by the Act of December 22, 1858 (11 Stat. 374), and situate in section 30, township 23 north, range 12 east, New Mexico principal meridian, within the county of Taos and State of New Mexico, and more particularly described as follows:

Pueblo of San Lorenzo.
Transfer of land title.

PARCEL NUMBERED 1

Beginning at the northwest corner of parcel numbered 4, hereinbelow described, which point is located north 23 degrees 30 minutes east, 119.8 feet from a United States Land Office stake marked No. 8, and north 51 degrees 7 minutes east, 1,733.7 feet from the west quarter corner of section 30, township 23 north, range 12 east, New Mexico principal meridian; thence north 22 degrees 00 minutes east 32 feet to a stake; thence south 75 degrees 00 minutes east 186 feet to a stake; thence south 65 degrees 00 minutes east 42 feet; thence south 29 degrees 00 minutes west 44 feet; thence north 67 degrees 00 minutes west 218 feet to the point of beginning, containing 0.19 acre more or less.

PARCEL NUMBERED 2

Beginning at a point in the north line of parcel numbered 1 which also marks the southeast corner of parcel numbered 3 and is located north 55 degrees 15 minutes east, 1,876.5 feet from the west quarter corner of section 30, township 23 north, range 12 east, New Mexico principal meridian; thence north 24 degrees 00 minutes east 62 feet to a stake; thence north 77 degrees 00 minutes east 63 feet to a stake; thence south 29 degrees 00 minutes west 99.5 feet; thence north 65 degrees 00 minutes west 42 feet to the point of beginning, containing 0.08 acre more or less.

PARCEL NUMBERED 3

Beginning at the northwest corner of parcel numbered 1 which point is located north 22 degrees 00 minutes east 32 feet from the northwest corner of parcel numbered 4 and north 50 degrees 38 minutes east 1,762.1 feet from the west quarter corner of section 30, township 23 north, range 12 east, New Mexico principal meridian; thence north 22 degrees 00 minutes east 157.8 feet; thence south 78 degrees 00 minutes east 255.5 feet; thence south 20 degrees 30 minutes west ⊥91.8 feet; thence south 77 degrees 00 minutes west 63 feet to a ⊥104
stake; thence south 24 degrees 00 minutes west 62 feet to a stake; thence north 75 degrees 00 minutes west 186 feet to the point of beginning, containing 0.87 acre more or less.

PARCEL NUMBERED 4

Beginning at the southwest corner whence the northwest corner of section 30, township 23 north, range 12 east, New Mexico principal meridian, bears north 40 degrees 11 minutes west 2,012 feet; thence south 69 degrees 45 minutes east 228 feet to corner No. 2, which is the southeast corner; thence north 23 degrees 32 minutes east 120 feet to corner No. 3, which is the northeast corner; thence south 69 degrees 45

minutes west 228 feet to corner No. 4; thence south 23 degrees 32 minutes west 120 feet to corner No. 1, the place of beginning, containing 0.63 acre.

SEC. 2. Such deed shall vest in the said pueblo a title of the same nature and character as that which the said pueblo had before the United States acquired title to the premises and said land shall thereafter be subject to all the laws of the United States applicable to the lands of the said pueblo.

Approved, April 6, 1956.

April 11, 1956
[S. 500]

70 Stat. 105

PUBLIC LAW 485 CHAPTER 203

AN ACT

To authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes.

Colorado River storage project.
43 USC 1501.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to initiate the comprehensive development of the water resources of the Upper Colorado River Basin, for the purposes, among others, of regulating the flow of the Colorado River, storing water for beneficial consumptive use, making it possible for the States of the Upper Basin to utilize, consistently with the provisions of the Colorado River Compact, the apportionments made to and among them in the Colorado River Compact and the Upper Colorado River Basin Compact, respectively, providing for the reclamation of arid and semiarid land, for the control of floods, and for the generation of hydroelectric power, as an incident of the foregoing purposes, the Secretary of the Interior is hereby authorized (1) to construct, operate, and maintain the following initial units of the Colorado River storage project, consisting of dams, reservoirs, powerplants, transmission facilities and appurtenant works: Curecanti, Flaming Gorge, Navajo (dam and reservoir only), and Glen Canyon: *Provided*, That the Curecanti Dam shall be constructed to a height which will impound not less than nine hundred and forty thousand acre-feet of water or will create a reservoir of such greater capacity as can be obtained by a high waterline located at seven thousand five hundred and twenty feet above mean sea level, and that construction thereof shall not be undertaken until the Secretary has, on the basis of further engineering and economic investigations, reexamined the economic justification of such unit and, accompanied by appropriate documentation in the form of a supplemental report, has certified to the Congress and to the President that, in his judgment, the benefits of such unit will exceed its costs; and (2) to construct, operate, and maintain the following additional reclamation projects (including power-generating and transmission facilities related thereto), hereinafter referred to as participating projects: Central Utah (initial phase); Emery County, Florida, Hammond, La Barge, Lyman, Paonia (including the Minnesota unit, a dam and reservoir on Muddy Creek just above its confluence with the North Fork of the Gunnison River, and other necessary works), Pine River Extension, Seedskadee, Silt and Smith Fork: *Provided further*, That as part of the Glen Canyon Unit the Secretary of the Interior shall take adequate protective measures to preclude impairment of the Rainbow Bridge National Monument.

63 Stat. 31.

Initial units.

Curecanti Dam. Report to Congress and President.

Participating projects.

Rainbow Bridge National Monument.

SEC. 2. In carrying out further investigations of projects under the Federal reclamation laws in the Upper Colorado River Basin, the Secretary shall give priority to completion of planning reports on the Gooseberry, San Juan-Chama, Navajo, Parshall, Troublesome, Rabbit Ear, Eagle Divide, San Miguel, West Divide, Bluestone, Battlement Mesa, Tomichi Creek, East River, Ohio Creek, Fruitland Mesa, Bostwick Park, Grand Mesa, Dallas Creek, Savery-Pot Hook, Dolores, Fruit Growers Extension, Animas-La Plata, Yellow Jacket, and Sublette

Planning reports. Priority.

participating projects. Said reports shall be completed as expeditiously as funds are made available therefor and shall be submitted promptly to the affected States, which in the case of the San Juan-Chama project shall include the State of Texas, and thereafter to the President and the Congress: *Provided*, That with reference to the plans and specifications for the San Juan-Chama project, the storage for control and regulation of water imported from the San Juan River shall (1) be limited to a single off-stream dam and reservoir on a tributary of the Chama River, (2) be used solely for control and regulation and no power facilities shall be established, installed or operated thereat, and (3) be operated at all times by the Bureau of Reclamation of the Department of the Interior in strict compliance with the Rio Grande Compact as administered by the Rio Grande Compact Commission. The preparation of detailed designs and specifications for the works proposed to be constructed in connection ⊥with projects shall be carried as far forward as the investigations thereof indicate is reasonable in the circumstances.

Reports to States, President and Congress.

53 Stat. 785.

⊥107

Juniper project.

The Secretary, concurrently with the investigations directed by the preceding paragraph, shall also give priority to completion of a planning report on the Juniper project.

Congressional intent.

SEC. 3. It is not the intention of Congress, in authorizing only those projects designated in section 1 of this Act, and in authorizing priority in planning only those additional projects designated in section 2 of this Act, to limit, restrict, or otherwise interfere with such comprehensive development as will provide for the consumptive use by States of the Upper Colorado River Basin of waters, the use of which is apportioned to the Upper Colorado River Basin by the Colorado River Compact and to each State thereof by the Upper Colorado River Basin Compact, nor to preclude consideration and authorization by the Congress of additional projects under the allocations in the compacts as additional needs are indicated. It is the intention of Congress that no dam or reservoir constructed under the authorization of this Act shall be within any national park or monument.

63 Stat. 31.

Laws governing.

SEC. 4. Except as otherwise provided in this Act, in constructing, operating, and maintaining the units of the Colorado River storage project and the participating projects listed in section 1 of this Act, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto): *Provided*, That (a) irrigation repayment contracts shall be entered into which, except as otherwise provided for the Paonia and Eden projects, provide for repayment of the obligation assumed thereunder with respect to any project contract unit over a period of not more than fifty years exclusive of any development period authorized by law; (b) prior to construction of irrigation distribution facilities, repayment contracts shall be made with an "organization" as defined in paragraph 2 (g) of the Reclamation Project Act of 1939 (53 Stat. 1187) which has the capacity to levy assessments upon all taxable real property located within its boundaries to assist in making repayments, except where a substantial proportion of the lands to be served are owned by the United States; (c) contracts relating to municipal water supply may be made without regard to the limitations of the last sentence of section 9 (c) of the Reclamation Project Act of 1939; and (d), as to Indian lands within, under or served by any participating project, payment of construction costs within the capability of the land to repay shall be subject to the Act of July 1, 1932 (47 Stat. 564): *Provided further*, That for a period of ten years from the date of enactment of this Act, no water from any participating project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing

43 U. S. C. 371 note.

Repayment contracts.

43 U. S. C. 485a.

53 Stat. 1194, 1195.
43 U. S. C. 485h.

25 U. S. C. 386a.
Restriction.

63 Stat. 1051.
7 U. S. C. 1441 note.

year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301 (b) (10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security. All units and participating projects shall be subject to the apportionments of the use of water between the Upper and Lower Basins of the Colorado River and among the States of the Upper Basin fixed in the Colorado River Compact and the Upper Colorado River Basin Compact, respectively, and to the terms of the treaty with the United Mexican States (Treaty Series 994).

52 Stat. 41.
7 U. S. C. 1281.

46 Stat. 3000; 45 Stat. 1057
63 Stat. 31
59 Stat. 1219.

Basin Fund.

SEC. 5. (a) There is hereby authorized a separate fund in the Treasury of the United States to be known as the Upper Colorado River Basin Fund (hereinafter referred to as the Basin Fund), which ⊥shall remain available until expended, as hereafter provided, for carrying out provisions of this Act other than section 8.

⊥105

(b) All appropriations made for the purpose of carrying out the provisions of this Act, other than section 8, shall be credited to the Basin Fund as advances from the general fund of the Treasury.

Availability of revenues.

(c) All revenues collected in connection with the operation of the Colorado River storage project and participating projects shall be credited to the Basin Fund, and shall be available, without further appropriation, for (1) defraying the costs of operation, maintenance, and replacements of, and emergency expenditures for, all facilities of the Colorado River storage project and participating projects, within such separate limitations as may be included in annual appropriation acts: *Provided*, That with respect to each participating project, such costs shall be paid from revenues received from each such project; (2) payment as required by subsection (d) of this section; and (3) payment as required by subsection (e) of this section. Revenues credited to the Basin Fund shall not be available for appropriation for construction of the units and participating projects authorized by or pursuant to this Act.

(d) Revenues in the Basin Fund in excess of operating needs shall be paid annually to the general fund of the Treasury to return—

(1) the costs of each unit, participating project, or any separable feature thereof which are allocated to power pursuant to section 6 of this Act, within a period not exceeding fifty years from the date of completion of such unit, participating project, or separable feature thereof;

(2) the costs of each unit, participating project, or any separable feature thereof which are allocated to municipal water supply pursuant to section 6 of this Act, within a period not exceeding fifty years from the date of completion of such unit, participating project, or separable feature thereof;

(3) interest on the unamortized balance of the investment (including interest during construction) in the power and municipal water supply features of each unit, participating project, or any separable feature thereof, at a rate determined by the Secretary of the Treasury as provided in subsection (f), and interest due shall be a first charge; and

(4) the costs of each storage unit which are allocated to irrigation pursuant to section 6 of this Act within a period not exceeding fifty years.

Apportionment of revenues.

(e) Revenues in the Basin Fund in excess of the amounts needed to meet the requirements of clause (1) of subsection (c) of this section, and to return to the general fund of the Treasury the costs set out in subsection (d) of this section, shall be apportioned among the States of the Upper Division in the following percentages: Colorado, 46 per centum; Utah, 21.5 per centum; Wyoming, 15.5 per centum; and New Mexico, 17 per centum: *Provided*, That prior to the application of such

percentages, all revenues remaining in the Basin Fund from each participating project (or part thereof), herein or hereinafter authorized, after payments, were applicable, with respect to such projects, to the general fund of the Treasury under subparagraphs (1), (2), and (3) of subsection (d) of this section shall be apportioned to the State in which such participating project, or part thereof, is located.

Revenues so apportioned to each State shall be used only for the repayment of construction costs of participating projects or parts of such projects in the State to which such revenues are apportioned and shall not be used for such purpose in any other State without the con-⊥sent, as expressed through its legally constituted authority, of ⊥109
the State to which such revenues are apportioned. Subject to such requirement, there shall be paid annually into the general fund of the Treasury from the revenues apportioned to each State (1) the costs of each participating project herein authorized (except Paonia) or any separable feature thereof, which are allocated to irrigation pursuant to section 6 of this Act, within a period not exceeding fifty years, in addition to any development period authorized by law, from the date of completion of such participating project or separable feature thereof, or, in the case of Indian lands, payment in accordance with section 4 of this Act; (2) costs of the Paonia project, which are beyond the ability of the water users to repay, within a period prescribed in the Act of June 25, 1947 (61 Stat. 181); and (3) costs in connection with the irrigation features of the Eden project as specified in the Act of June 28, 1949 (63 Stat. 277).

(f) The interest rate applicable to each unit of the storage project and each participating project shall be determined by the Secretary of the Treasury as of the time the first advance is made for initiating construction of said unit or project. Such interest rate shall be determined by calculating the average yield to maturity on the basis of daily closing market bid quotations during the month of June next preceding the fiscal year in which said advance is made, on all interest-bearing marketable public debt obligations of the United States having a maturity date of fifteen or more years from the first day of said month, and by adjusting such average annual yield to the nearest one-eighth of 1 per centum. Interest rate

(g) Business-type budgets shall be submitted to the Congress annually for all operations financed by the Basin Fund. Budget to Congress

SEC. 6. Upon completion of each unit, participating project or separable feature thereof, the Secretary shall allocate the total costs (excluding any expenditures authorized by section 8 of this Act) of constructing said unit, project or feature to power, irrigation, municipal water supply, flood control, navigation, or any other purposes authorized under reclamation law. Allocations of construction, operation and maintenance costs to authorized nonreimbursable purposes shall be nonreturnable under the provisions of this Act. In the event that the Navajo participating project is authorized, the costs allocated to irrigation of Indian-owned tribal or restricted lands within, under, or served by such project, and beyond the capability of such lands to repay, shall be determined, and, in recognition of the fact that assistance to the Navajo Indians is the responsibility of the entire nation, such costs shall be nonreimbursable. On January 1 of each year the Secretary shall report to the Congress for the previous fiscal year, beginning with the fiscal year 1957, upon the status of the revenues from, and the cost of, constructing, operating, and maintaining the Colorado River storage project and the participating projects. The Secretary's report shall be prepared to reflect accurately the Federal investment allocated at that time to power, to irrigation, and to other purposes, the progress of return and repayment thereon, and the estimated rate of progress, year by year, in accomplishing full repayment. Cost allocations. Navajos Report to Congress.

Power plant operations

SEC. 7. The hydroelectric powerplants and transmission lines authorized by this Act to be constructed, operated, and maintained by the Secretary shall be operated in conjunction with other Federal powerplants, present and potential, so as to produce the greatest practicable amount of power and energy that can be sold at firm power and energy rates, but in the exercise of the authority hereby granted he shall not affect or interfere with the operation of the provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, the ⊥Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act and any contract lawfully entered unto under said Compacts and Acts. Subject to the provisions of the Colorado River Compact, neither the impounding nor the use of water for the generation of power and energy at the plants of the Colorado River storage project shall preclude or impair the appropriation of water for domestic or agricultural purposes pursuant to applicable State law.

⊥1110
45 Stat. 1057.
43 U. S. C. 617 note.
54 Stat. 774.
43 U. S. C. 618o.

Recreational and fish and wildlife facilities

SEC. 8. In connection with the development of the Colorado River storage project and of the participating projects, the Secretary is authorized and directed to investigate, plan, construct, operate, and maintain (1) public recreational facilities on lands withdrawn or acquired for the development of said project or of said participating projects, to conserve the scenery, the natural, historic, and archeologic objects, and the wildlife on said lands, and to provide for public use and enjoyment of the same and of the water areas created by these projects by such means as are consistent with the primary purposes of said projects; and (2) facilities to mitigate losses of, and improve conditions for, the propagation of fish and wildlife. The Secretary is authorized to acquire lands and to withdraw public lands from entry or other disposition under the public land laws necessary for the construction, operation, and maintenance of the facilities herein provided, and to dispose of them to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance upon such terms and conditions as will best promote their development and operation in the public interest. All costs incurred pursuant to this section shall be nonreimbursable and nonreturnable.

Saving provision

SEC. 9. Nothing contained in this Act shall be construed to alter, amend, repeal, construe, interpret, modify, or be in conflict with the provisions of the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774), the Colorado River Compact, the Upper Colorado River Basin Compact, the Rio Grande Compact of 1938, or the Treaty with the United Mexican States (Treaty Series 994).

43 U. S. C. 617 note.
43 U. S. C. 618o.

53 Stat. 785.
59 Stat. 1219.
Expenditures.

SEC. 10. Expenditures for the Flaming Gorge, Glen Canyon, Curecanti, and Navajo initial units of the Colorado River storage project may be made without regard to the soil survey and land classification requirements of the Interior Department Appropriation Act, 1954.

67 Stat. 266.

Effectivity and approval of court decree, etc.

SEC. 11. The Final Judgment, Final Decree and stipulations incorporated therein in the consolidated cases of United States of America v. Northern Colorado Water Conservancy District, et al., Civil Nos. 2782, 5016 and 5017, in the United States District Court for the District of Colorado, are approved, shall become effective immediately, and the proper agencies of the United States shall act in accordance therewith.

Appropriation.

SEC. 12. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to carry out the purpose of this Act, but not to exceed $760,000,000.

Net power revenues.

SEC. 13. In planning the use of, and in using credits from, net power revenues available for the purpose of assisting in the pay out of costs of participating projects herein and hereafter authorized in the States of Colorado, New Mexico, Utah, and Wyoming, the Secretary shall

have regard for the achievement within each of said States of the fullest practicable use of the waters of the Upper Colorado River system, consistent with the apportionment thereof among such States.

Operation and maintenance, compliance

SEC. 14. In the operation and maintenance of all facilities, authorized by Federal law and under the jurisdiction and supervision of the Secretary of the Interior, in the basin of the Colorado River, the Secretary of the Interior is directed to comply with the applicable ⊥provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, and the Treaty with the United Mexican States, in the storage and release of water from reservoirs in the Colorado River Basin. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section, and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise.

⊥111

63 Stat. 31.
45 Stat. 1057, 54 Stat. 774.
43 U. S. C. 617 note, 618a.
59 Stat. 1219.

Report to Congress.

SEC. 15. The Secretary of the Interior is directed to continue studies and to make a report to the Congress and to the States of the Colorado River Basin on the quality of water of the Colorado River.

Definitions.

SEC. 16. As used in this Act—

The terms "Colorado River Basin", "Colorado River Compact", "Colorado River System", "Lee Ferry", "States of the Upper Division", "Upper Basin", and "domestic use" shall have the meaning ascribed to them in article II of the Upper Colorado River Basin Compact;

The terms "States of the Upper Colorado River Basin" shall mean the States of Arizona, Colorado, New Mexico, Utah, and Wyoming;

The term "Upper Colorado River Basin" shall have the same meaning as the term "Upper Basin";

The term "Upper Colorado River Basin Compact" shall mean that certain compact executed on October 11, 1948 by commissioners representing the States of Arizona, Colorado, New Mexico, Utah, and Wyoming, and consented to by the Congress of the United States of America by Act of April 6, 1949 (63 Stat. 31);

The term "Rio Grande Compact" shall mean that certain compact executed on March 18, 1938, by commissioners representing the States of Colorado, New Mexico, and Texas and consented to by the Congress of the United States of America by Act of May 31, 1939 (53 Stat. 785);

The term "Treaty with the United Mexican States" shall mean that certain treaty between the United States of America and the United Mexican States, signed at Washington, District of Columbia, February 3, 1944, relating to the utilization of the waters of the Colorado River and other rivers, as amended and supplemented by the protocol dated November 14, 1944, and the understandings recited in the Senate resolution of April 18, 1945, advising and consenting to ratification thereof.

59 Stat. 1219.

Approved, April 11, 1956.

PUBLIC LAW 525 CHAPTER 279

May 18, 1956
[S. 2851]

70 Stat. 157

AN ACT

To transfer certain lands from the Veterans' Administration to the Department of the Interior for the benefit of the Yavapai Indians of Arizona.

Yavapai Indians of Arizona.
Transfer of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction over one thousand three hundred and twenty acres of land, more or less, formerly a part of the Fort Whipple Military Reservation, Arizona, and subsequently transferred to the Veterans' Administration by section 6 of the Act of March 4, 1931 (46 Stat. 1550), is hereby transferred to the Secretary of the Interior, and the title to such lands shall be held by the United States in trust for the Yavapai Indians,

subject to any valid and existing rights in such lands. The description of the lands hereby transferred shall be determined by the Administrator of Veterans' Affairs and the Secretary of the Interior, jointly, and in the event a survey is required to make such determination, the Department of the Interior shall bear the expense thereof. The transfer shall be subject to such terms, conditions, reservations, and restrictions, as the Administrator of Veterans' Affairs, after consultation with the Secretary of the Interior, determines to be necessary to protect the interest of the Veterans' Administration Center, Whipple, Arizona.

Approved, May 18, 1956.

May 19, 1956
[H. R. 10004]
70 Stat. 161

PUBLIC LAW 533 CHAPTER 313

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1956, and for other purposes.

Second Supplemental Appropriation Act, 1956

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1956") for the fiscal year ending June 30, 1956, and for other purposes, namely:

* * *

1168 ⊥CHAPTER VI—DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $1,871,000: *Provided,* That the Secretary of the Army is authorized and directed to transfer to the Secretary of the Interior, without exchange of funds, forty-six school buses presently on loan to the Bureau of Indian Affairs.

1169 ⊥CONSTRUCTION

For an additional amount for "Construction", $240,000, to remain available until expended: *Provided,* That the funds herein used for restoration of Indian irrigation facilities shall be nonreimbursable: *Provided further,* That not to exceed $54,000 used for emergency reconstruction, replacement or repair of the San Carlos irrigation facilities damaged or destroyed by flood and storm in 1955 shall be nonreimbursable.

* * *

1176 ⊥CHAPTER XIV—INCREASED PAY COSTS

69 Stat. 9, 88, 172, 290, 499, 521, 530.
2 U. S. C. 31 note; 39 U. S. C. 951 note; 5 U. S. C. 1113 note; 2 U. S. C. 60a note *et seq.*; D. C. Code 11-771; 11-753; 11-920; 47-2402; 31-659a-1 *et seq.*; 4-813 *et seq.*

For additional amounts for appropriations for the fiscal year 1956, for increased pay costs authorized by the Act of March 2, 1955 (Public Law 9), the Act of June 10, 1955 (Public Law 68), the Act of June 28, 1955 (Public Law 94), the Act of July 11, 1955 (Public Law 139), the Act of August 5, 1955 (Public Law 242), the Act of August 5, 1955 (Public Law 243), and the Act of August 5, 1955 (Public Law 244), as follows:

* * *

1178 ⊥INDEPENDENT OFFICES

* * *

Indian Claims Commission: "Salaries and expenses", $1,700:

* * *

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥180

* * *

Public Health Service:

* * *

"Indian health activities", $1,150,000:

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥181

* * *

Bureau of Indian Affairs:
"Resources management", $450,000;
"General administrative expenses", $150,000;

* * *

Approved, May 19, 1956.

PUBLIC LAW 539 CHAPTER 326

AN ACT

May 28, 1956
[H. R. 4604]

70 Stat. 187

Relating to the issuance of certain patents in fee to lands within the Blackfeet Indian Reservation, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized, on application therefor, to issue to each holder of an exchange assignment on the Blackfeet Indian Reservation, Montana, a patent to the lands that are covered by such exchange assignment. The patent shall include all oil, gas, coal, and other minerals in the land unless the Indian to whom the patent is issued reserved the right to such minerals in the land that was transferred by him to the tribe, or unless he did not have the right to such minerals in the land so transferred. The patent shall be a patent in fee if in the judgment of the Secretary the applicant is able to manage his own affairs without governmental assistance, and shall be a trust patent if the Secretary determines that the applicant needs governmental assistance in handling his affairs. Any trust created by such patent may be terminated by the Secretary when in his judgment the need therefor has ended.

Blackfeet Indian Reservation, Mont.

Approved, May 28, 1956.

PUBLIC LAW 546 CHAPTER 343

AN ACT

May 29, 1956
[H. R. 9207]

70 Stat. 221

To authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of August 27, 1935 (49 Stat. 887), as amended by section 5 of the Act of June 20, 1938 (52 Stat. 779), and by the Act of April 24, 1946 (60 Stat. 121), authorizing the Secretary of the Interior to provide by agreement with the Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, for the payment of operation and maintenance charges on newly reclaimed Pueblo Indian lands and lands purchased by the United States by virtue of the Act of June 7, 1924 (43 Stat. 636), as amended, for certain Pueblo Indians, are hereby extended for an additional period of ten years to 1965.

Pueblo Indian lands.

Approved, May 29, 1956.

PUBLIC LAW 553 CHAPTER 354

AN ACT

June 4, 1956
[S. 2151]
70 Stat. 228

To provide for the segregation of certain funds of the Fort Berthold Indians on the basis of a membership roll prepared for such purpose.

Fort Berthold Indians.
Segregated shares.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to segregate the fund on deposit in the Treasury of the United States titled "The Three Affiliated Tribes of Fort Berthold Reservation, North Dakota" on the basis of a membership roll prepared for that purpose and approved by the Secretary. The segregated shares of adults, including interest accruals thereon, shall be subject to expenditure in accordance with plans prepared and submitted by such adults and approved by the Secretary. The segregated shares, including interest accruals thereon, of persons who are minors or non compos mentis shall be subject to expenditure in accordance with procedures approved by the Secretary. The Secretary may require any segregated share of a member to be used to pay a debt, that is owed by such person to the Tribes or to the United States and that is due and payable.

Approved, June 4, 1956.

PUBLIC LAW 560 CHAPTER 361

AN ACT

June 4, 1956
[H. R. 5478]
70 Stat. 245

To authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

Red Lake Reservation, Minn.
Per capita payments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. 137), to the credit of the Red Lake Indians in Minnesota, and to pay therefrom $100 to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living at the date of enactment of this Act. Such payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe.

Restriction.

SEC. 2. No money paid to Indians under this Act shall be subject to any lien or claim of attorneys or other persons.

Ratification.

Before any payment is made under this Act, the Red Lake Band of Chippewa Indians of Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify and accept the provisions of this Act.

SEC. 3. Payments made under this Act shall not be held to be "other income and resources" as that term is used in sections 2 (a) (7), 402 (a) (7), and 1002 (a) (8) of the Social Security Act, as amended (U. S. C., 1946 edition, title 42, secs. 302 (a) (7), 602 (a) (7), and 1202 (a) (8).

53 Stat. 1360, 1379; 64 Stat. 553.

Approved, June 4, 1956.

PUBLIC LAW 563 CHAPTER 364

AN ACT

June 4, 1956
[H. R. 6084]
70 Stat. 247

To authorize the Secretary of the Interior to sell certain lands of the Agua Caliente Band of Mission Indians, California, to the Palm Springs Unified School District.

Mission Indians, Calif.
Sale of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, with the consent of the tribal council of the Agua Caliente Band of Mission Indians, the Secretary of the Interior is authorized and directed to sell to the Palm Springs Unified School District of the State of California, in consideration of the payment by such school district of an amount agreed to by such tribal council, the Secretary of the Interior and such

school district all of the right, title, and interest of the United States and of the Agua Caliente Band of Mission Indians in and to that tract of land containing ten acres, and more particularly described as follows: Southwest quarter northeast quarter southeast quarter, section 14, township 4 south, range 4 east, San Bernardino base and meridian.

SEC. 2. The proceeds of such sale shall be deposited in the Treasury of the United States to the credit of the Agua Caliente Band of Mission Indians, and such proceeds, when distributed to individual members of said Band, shall not be subject to Federal income tax.

Approved, June 4, 1956.

PUBLIC LAW 568 CHAPTER 369

AN ACT

June 4, 1956
[H. R. 6374]
70 Stat. 249

To repeal legislation relating to the Gallup-Durango Highway and the Gallup-Window Rock Highway at the Navajo Indian Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 7, 1924 (ch. 318, 43 Stat. 606), as amended by the Act of May 28, 1941 (ch. 137, 55 Stat. 207), is hereby repealed, and the tribal funds of the Navajo Indians are relieved of all reimbursable obligations, if any, incurred under such Act.

Approved, June 4, 1956.

PUBLIC LAW 570 CHAPTER 375

AN ACT

June 7, 1956
[H. R. 4656]
70 Stat. 254

Relating to the Lumbee Indians of North Carolina.

Whereas many Indians now living in Robeson and adjoining counties are descendants of that once large and prosperous tribe which occupied the lands along the Lumbee River at the time of the earliest white settlements in that section; and

Whereas at the time of their first contacts with the colonists, these Indians were a well-established and distinctive people living in European-type houses in settled towns and communities, owning slaves and livestock, tilling the soil, and practicing many of the arts and crafts of European civilization; and 1255

Whereas by reason of tribal legend, coupled with a distinctive appearance and manner of speech and the frequent recurrence among them of family names such as Oxendine, Locklear, Chavis, Drinkwater, Bullard, Lowery, Sampson, and others, also found on the roster of the earliest English settlements, these Indians may, with considerable show of reason, trace their origin to an admixture of colonial blood with certain coastal tribes of Indians; and

Whereas these people are naturally and understandably proud of their heritage, and desirous of establishing their social status and preserving their racial history: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indians now residing in Robeson and adjoining counties of North Carolina, originally found by the first white settlers on the Lumbee River in Robeson County, and claiming joint descent from remnants of early American colonists and certain tribes of Indians originally inhabiting the coastal regions of North Carolina, shall, from and after the ratification of this Act, be known and designated as Lumbee Indians of North Carolina and shall continue to enjoy all rights, privileges, and immunities enjoyed by them as citizens of the State of North Carolina and of the United States as they enjoyed before the enactment of this Act, and shall continue to be subject to all the obligations and duties of such citizens under the laws of the State of North Carolina and the

Lumbee Indians of North Carolina.

United States. Nothing in this Act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Lumbee Indians.

SEC. 2. All laws and parts of laws in conflict with this Act are hereby repealed.

Approved, June 7, 1956.

June 7, 1956
[S. 2822]

70 Stat. 256

PUBLIC LAW 572 CHAPTER 377

AN ACT

To authorize and direct the Secretary of the Interior to transfer approximately nine acres of land in the Hualapai Indian Reservation, Arizona, to School District Numbered 8, Mohave County, Arizona.

Hualapai Indian Reservation, Ariz.
Land transfer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to transfer by patent to School District Numbered 8, Mohave County, Arizona, all right, title, and interest of the United States and the Hualapai Tribe of Indians in and to a tract of approximately nine acres of land within the Hualapai Indian Reservation described as part of the southwest quarter of section 23, township 25 north, range 11 west, Gila and Salt River meridian, as long as such lands are used for school purposes and are available to Indians and non-Indians on the same terms unless otherwise approved by the Secretary of the Interior: *Provided*, That if said tract no longer is used for school purposes or is made available to Indians and non-Indians on different terms without the approval of the Secretary of the Interior, the Secretary shall immediately publish in the Federal Register a declaration to that effect and all right, title, and interest therein shall revert to the United States in trust for the Hualapai Tribe: *Provided also*, That the Secretary of the Interior may not approve any terms or conditions which would discriminate against Indians: *And provided further*, That all mineral rights, including gas and oil, are reserved for the use and benefit of the Hualapai Tribe. The lands to be so transferred to said school district are described in detail as follows: Starting at the north quarter corner of section 23, township 25 north, range 11 west, Gila and Salt River meridian, Mohave County, Arizona, marked by a Government set brass capped iron pipe; thence, north 89 degrees 57 minutes east, along the north line of said section 23, a distance of 109.09 feet to a point; thence, south 2 degrees 48 minutes 30 seconds west, a distance of 2646.76 feet to a point; thence, north 84 degrees 20 minutes 45 seconds west, a distance of 109.04 feet to a point; thence, south 33 degrees 28 minutes 15 seconds west, a distance of 949.8 feet to the place of beginning, marked by a half-inch iron pipe; thence, south 28 degrees 31 minutes 45 seconds west, a distance of 313.73 feet to a corner, marked by a half-inch iron pipe; thence south 61 degrees 48 minutes 15 seconds east, a distance of 167.08 feet to a corner and point along the northwesterly right-of-way boundary of an oil cake paved road, marked by a half-inch iron pipe; thence, south 26 degrees 41 minutes 45 seconds west, a distance of 273.58 feet along the said northwesterly right-of-way boundary of said paved road, marked by a half-inch iron pipe; thence, north 63 degrees 29 minutes 45 seconds west, a distance of 446.41 feet to a corner marked by a half-inch iron pipe; thence, south 26 degrees 40 minutes 30 seconds west, a distance of 188.92 feet to a corner marked by a half-inch iron pipe; thence, north 63 degrees 29 minutes 45 seconds west, a distance of 403.75 feet to a corner marked by a half-inch iron pipe; thence, north 9 degrees 16 minutes 15 seconds east, 365.56 feet to a corner marked by a half-inch iron pipe; thence, south 88 degrees 47 minutes 15 seconds east, a distance of 433.09 feet to a corner point

Publication in FR.

Mineral rights.

marked by a half-inch iron pipe; thence, north 75 degrees 12 minutes 45 seconds east, a distance of 289.71 feet to a corner marked by a half-inch iron pipe; thence, south 79 degrees 28 minutes 45 seconds east, a distance of 202.51 feet to the place of beginning.

Approved, June 7, 1956.

PUBLIC LAW 573 CHAPTER 380

AN ACT

June 13, 1956
[H. R. 9390]

70 Stat. 257

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1957, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1957, namely:

Department of the Interior and Related Agencies Appropriation Act, 1957

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

OFFICE OF THE SOLICITOR

For necessary expenses of the Office of the Solicitor, $2,835,000, and in addition, not to exceed $100,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided,* That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedure Act (60 Stat. 237), as amended.

5 U. S. C. 1001 note

* * *

⊥BUREAU OF INDIAN AFFAIRS

⊥258

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of ⊥rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $50,720,000.

⊥259

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts as authorized by law; $16,200,000, and in addition, $350,000 of the Revolving Fund for Loans, Bureau of Indian Affairs, shall be used in connection with administering loans to Indians.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract: to remain availa-

ble until expended, $5,240,000, of which not to exceed $240,000 may be paid to the Municipal School District Numbered 1, Sandoval County, New Mexico, to supplement an allocation of funds from the Office of Education for the construction of elementary public school facilities which shall be available to Pueblo Indian children: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations: *Provided further*, That the Secretary is authorized to purchase, without regard to the prohibition against the acquisition of land or water rights contained herein, not to exceed ten acres within the Klamath Indian Reservation, Oregon, required for the construction of a pumping plant for the Modoc Point Indian irrigation system.

Restrictions.

ROAD CONSTRUCTION AND MAINTENANCE (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in section 6 of the Federal-Aid Highway Act of 1954 (68 Stat. 73), $11,500,000, to remain available until expended.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $3,190,000.

DISTRIBUTION OF FUNDS OF THE CREEK INDIANS

For necessary expenses incident to the distribution of funds belonging to the members of the Creek Nation of Indians, in accordance with the Act of August 1, 1955 (69 Stat. 431), $200,000, to remain available until expended.

25 U. S. C. 781.

⊥260

⊥ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed two hundred and ninety passenger motor vehicles (of which two hundred and seventy shall be for replacement only), which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), and legislation terminating Federal supervision over certain Indian tribes; purchase of ice for official use of employees; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organi-

zations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a recreational director for the Menominee Reservation and a curator for the Osage Museum, each of whom shall be appointed with the approval of the respective tribal councils and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary; *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation.

18 U. S. C. 4124.

Restriction.

* * *

⊥TITLE II—RELATED AGENCIES

⊥267

* * *

DEPARTMENT OF AGRICULTURE

FOREST SERVICE—SALARIES AND EXPENSES

* * *

⊥Control of forest pests: For the control of white pine blister rust pursuant to the Act of April 26, 1940 (16 U. S. C. 594a), including the development and testing of new control methods, $2,734,000, of which $355,000 shall be available to the Department of the Interior for the control of white pine blister rust on or endangering Federal lands under the jurisdiction of that Department or lands of Indian tribes which are under the jurisdiction of or retained under restrictions of the United States; and for carrying out the Forest Pest Control Act (16 U. S. C. 594–1—594–5), $2,386,000, of which $1,751,000 shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended, for the purposes of said Act to the extent necessary under the then existing conditions; $5,120,000.

⊥269

54 Stat. 168.

61 Stat. 177.

31 U. S. C. 665.

* * *

⊥INDIAN CLAIMS COMMISSION

⊥271

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $124,600, of which not to exceed $3,975 shall be available for expenses of travel.

60 Stat. 1049.

* * *

Approved, June 13, 1956.

PUBLIC LAW 592 CHAPTER 400

AN ACT

June 18, 1956
[S. 3920]

70 Stat. 290

To authorize the partition or sale of inherited interests in allotted lands in the Tulalip Reservation, Washington, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any owner of an interest in any tract of land in the Tulalip Reservation, Washington, in which an undivided interest is now or hereafter held in trust by the United States for an Indian, or is now or hereafter owned by an Indian subject to restrictions against alienation or taxation imposed by the United States, may commence in a State court of competent

Tulalip Reservation, Wash.
Sale of lands.

jurisdiction an action for the partition in kind or for the sale of such land in accordance with the laws of the State. For the purpose of any such action the Indian owners shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the proceeding, and any partition or conveyance of the land pursuant to the proceedings shall divest the United States of title to the land, terminate the Federal trust, and terminate all restrictions against alienation or taxation of the land imposed by the United States.

SEC. 2. Notwithstanding the provisions of the constitution and charter of the Tulalip Tribes of the Tulalip Reservation, any lands that are held by the United States in trust for the Tulalip Tribes, or that are subject to a restriction against alienation or taxation imposed by the United States, or that are hereafter acquired by the Tulalip Tribes, may be sold by the Tulalip Board of Directors, with the consent of the Secretary of the Interior, on such terms and conditions as the Tulalip Board of Directors may prescribe, and such sale shall terminate the Federal trust or restrictions against alienation or taxation of the land: *Provided*, That the proceeds from the sale of any tribal lands acquired otherwise than by purchase shall be deposited in the Treasury of the United States to the credit of the Tulalip Tribes and shall not be expended until otherwise specifically provided by Congress.

Approved, June 18, 1956.

PUBLIC LAW 625 CHAPTER 460

June 29, 1956
[S. 3778]
70 Stat. 372

AN ACT

To amend the Act for the protection of walruses.

Alaska
Walruses

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of August 18, 1941 (ch. 368, 55 Stat. 632; 48 U. S. C. 248), is amended by changing the colon at the end of the first proviso to a comma and by inserting thereafter: "and said skins or hides may be exported from the Territory subject to such limitations on numbers and sizes of skins or hides exported as the Secretary of the Interior may prescribe for the purpose of protecting and conserving the walrus herds:".

1373

⊥ SEC. 2. Section 1 of said Act of August 18, 1941, is further amended by changing the period at the end thereof to a colon and by inserting thereafter: "*Provided further*, That the Secretary of the Interior is authorized to prescribe by regulations the extent to which, the times when, and the means by which, walruses may be taken for purposes other than food and clothing and the extent to which such walruses or the parts thereof may be possessed, sold, bartered, purchased, or exported. Any regulations so prescribed shall prohibit the hunting of walruses with the use of airplanes and helicopters and shall prohibit the taking of any walrus by a nonnative other than one bull walrus per year which may be taken only when the nonnative is accompanied by a native guide. The meat of any walrus taken by a nonnative shall be given to natives, and the Secretary of the Interior is directed to prohibit the taking of walruses by nonnatives whenever he determines that such taking may endanger the food supply of the natives. No nonnative shall take any walrus under any regulations prescribed by the Secretary of the Interior without first having procured a walrus hunting license which shall be issued in the manner prescribed by subdivision I, section 10, of the Alaska game law of January 13, 1925, as amended (43 Stat. 744; 48 U. S. C. 199). The fee for such license shall be $25 for nonnative residents of the Territory of Alaska and $50 for nonresidents. For the purposes of this Act, residence shall be governed by the conditions prescribed in section 3 of said Alaska game law. After deducting the amount that may be retained as compensa-

tion by persons authorized to sell such licenses, the amount of such retained compensation to be determined in accordance with subdivision K of section 10 of said Alaska game law, the proceeds from the sale of walrus hunting licenses shall be accounted for and disposed of in the manner prescribed by the said subdivision K."

Approved, June 29, 1956.

PUBLIC LAW 627 CHAPTER 462

AN ACT

June 20, 1956
[H. R. 10660]

70 Stat. 374

To amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways; to amend the Internal Revenue Code of 1954 to provide additional revenue from the taxes on motor fuel, tires, and trucks and buses; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—FEDERAL-AID HIGHWAY ACT OF 1956

SEC. 101. SHORT TITLE FOR TITLE I.

This title may be cited as the "Federal-Aid Highway Act of 1956".

* * *

⊥SEC. 104. ROADS AND TRAILS IN NATIONAL PARKS, ETC. ⊥376

(a) NATIONAL PARKS, ETC.—For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of $16,000,000 for the fiscal year ending June 30, 1958, and a like sum for the fiscal year ending June 30, 1959. 16 U. S. C. 8a–8c.

(b) PARKWAYS.—For the construction, reconstruction, and improvement of parkways, authorized by Acts of Congress, on lands to which title is vested in the United States, there is hereby authorized to be appropriated the sum of $16,000,000 for the fiscal year ending June 30, 1958, and a like sum for the fiscal year ending June 30, 1959.

(c) INDIAN RESERVATIONS AND LANDS.—For the construction, improvement, and maintenance of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $12,000,000 for the fiscal year ending June 30, 1958, and a like sum for the fiscal year ending June 30, 1959: *Provided*, That the location, type, and design of all roads and bridges constructed shall be approved by the Secretary of Commerce before any expenditures are made thereon, and all such construction shall be under the general supervision of the Secretary of Commerce. 25 U. S. C. 318a.

SEC. 105. PUBLIC LANDS HIGHWAYS.

For the purpose of carrying out the provisions of section 10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations the additional sum of $2,000,000 for the fiscal year ending June 30, 1957, and the sum of $2,000,000 for the fiscal year ending June 30, 1958, and a like sum for the fiscal year ending June 30, 1959.

SEC. 106. SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS, ETC.

Any funds authorized herein for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be available for contract upon apportionment, or a date not earlier than one year preceding the beginning of the fiscal year for which authorized if no apportionment is required: *Provided*, That any amount remaining unexpended two years after the close of the fiscal year for which authorized shall lapse. The Secretary of the department charged with the administration of such funds is hereby granted authority to incur obligations, approve projects, and enter into contracts under such authorizations, and his action in doing so shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and such funds shall be deemed to have been expended when so obligated. Any funds heretofore, herein, or hereafter authorized for any fiscal year for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be
1377 deemed ⊥to have been expended if a sum equal to the total of the sums authorized for such fiscal year and previous fiscal years since and including the fiscal year ending June 30, 1955, shall have been obligated. Any of such funds released by payment of final voucher or modification of project authorizations shall be credited to the balance of unobligated authorizations and be immediately available for expenditure.

SEC. 107. HIGHWAYS FOR ALASKA.

* * *

1379 ⊥(e) FEDERAL SHARE.—The Federal share payable on account of any project on the Interstate System provided for by funds made available under the provisions of this section shall be increased to 90 per centum of the total cost thereof, plus a percentage of the remaining 10 per centum of such cost in any State containing unappropriated
1380 and un-⊥reserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, equal to the percentage that the area of such lands in such State is of its total area: *Provided*, That such Federal share payable on any project in any State shall not exceed 95 per centum of the total cost of such project.

* * *

1387 ⊥SEC. 122. RELATIONSHIP OF THIS TITLE TO OTHER ACTS; EFFECTIVE DATE.

39 Stat. 355. 23 U. S. C. 48 and note; 16 U. S. C. 503.

All provisions of the Federal-Aid Road Act approved July 11, 1916, together with all Acts amendatory thereof or supplementary thereto, not inconsistent with this title, shall remain in full force and effect and be applicable hereto. All Acts or parts of Acts in any way inconsistent with the provisions of this title are hereby repealed. This title shall take effect on the date of the enactment of this Act.

* * *

Approved, June 29, 1956.

PUBLIC LAW 635 CHAPTER 477

June 29, 1956
[H. R. 9720]
70 Stat. 423

AN ACT

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1957, and for other purposes.

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1957.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not other-

wise appropriated, for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1957, namely:

* * *

⊥TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥427

* * *

⊥PUBLIC HEALTH SERVICE ⊥430

For necessary expenses in carrying out the Public Health Service Act, as amended (42 U. S. C., ch. 6A) (hereinafter referred to as the Act), and other Acts, including expenses for active commissioned officers in the Reserve Corps and for not to exceed one thousand five hundred commissioned officers in the Regular Corps; and except as otherwise authorized by the Act of September 30, 1950 (20 U. S. C. 236–244), for expenses of primary and secondary schooling of dependents of Public Health Service personnel stationed in foreign countries, in amounts not to exceed an average of $250 per student, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and for the transportation of such dependents between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation; and for the payment of compensation to consultants or individual scientists appointed for limited periods of time pursuant to section 207 (e) or section 207 (f) of the Act at rates established by the Surgeon General not to exceed $15,000 per annum: *Provided,* That subsection (g) of section 208 of the Public Health Service Act, as amended, is amended by striking out "$15,000", and inserting in lieu thereof "$20,000"; as follows: 58 Stat. 682. 64 Stat. 1100.

* * *

⊥Indian health activities: For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (42 U. S. C. 2001), including services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a) (including not to exceed $10,000 for such services at rates not to exceed $100 per diem for individuals, when authorized by the Surgeon General); purchase of not to exceed seventy-five passenger motor vehicles, of which fifty shall be for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 321 and 509 of the Public Health Service Act; $38,125,000. ⊥1432 68 Stat. 674. 60 Stat. 810. 42 U. S. C. 248, 227.

Construction of Indian health facilities: For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; and purchase of trailers; $8,762,000, to remain available until expended: *Provided,* That such expenditures may be made through the Department of the Interior.

* * *

Approved, July 11, 1956.

PUBLIC LAW 641 CHAPTER 490

AN ACT

July 2, 1956
[H. R. 11319]
70 Stat. 474

Making appropriations for the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, for the fiscal year ending June 30, 1957, and for other purposes.

Be it enacted by the Senate and House of Representatives of the

Public Works Appropriation Act, 1957.

United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1957, for the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, and for other purposes, namely:

* * *

1479 TITLE III—CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

* * *

1480 CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by law; detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction); and not to exceed $1,400,000 for transfer to the Secretary of the Interior for conservation of fish and wildlife as authorized by law; to remain available until expended, $455,949,500, of which $300,000 shall be for the project "Mississippi River-Gulf Outlet, Louisiana": *Provided,* That funds appropriated herein may at the discretion and under the direction of the Chief of Engineers be used in payment to the accounts of the Confederated Tribes of the Yakima Reservation; the Confederated Tribes of the Warm Springs Reservation; the Confederated Tribes of the Umatilla Reservation; or other recognized Indian tribes, and those individual Indians not enrolled in any recognized tribe, but who through domicile at or in the immediate vicinity of the reservoir and through custom and usage are found to have an equitable interest in the fishery, all of whose fishing rights and interests will be impaired by the Government incident to the construction, operation, or maintenance of The Dalles Dam, Columbia River, Washington and Oregon, and must be subordinated thereto by agreement or litigation: . . .

Payment to Indians.

Grand Forks.

* * *

Approved, July 2, 1956.

PUBLIC LAW 686 CHAPTER 559

July 11, 1956
[S. 3547]

AN ACT

70 Stat. 522

To amend section 1 of the Act of August 9, 1955 (69 Stat. 555), authorizing the sale of certain land by the Pueblos of San Lorenzo and Pojoaque.

Pueblo Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of August 9, 1955 (69 Stat. 555), is amended by inserting after "townships 6, 7, and 8 north", the following: "range 14 west, townships 7 and 8 north,".

Approved, July 11, 1956.

PUBLIC LAW 696 CHAPTER 569

July 11, 1956
[H. R. 9828]

AN ACT

70 Stat. 528

To transfer six hundred acres of public domain to the Kanosh Band of Indians, Utah.

Kanosh Indians, Utah
Transfer of land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described public domain is hereby declared to be held by the United States in trust for the Kanosh Band of the Paiute Indian Tribe in Utah, subject to the provisions of the Act of September 1, 1954 (68 Stat. 1099), with respect to the termination of Federal supervision over all property of such Indians: The southeast quarter, east half northeast quarter, and

the northwest quarter northeast quarter, section 35, township 22 south, range 5 west; the west half west half, section 14, and the east half east half, section 15, township 23 south, range 5 west, Salt Lake meridian, Utah, containing 600 acres.

Approved, July 11, 1956.

PUBLIC LAW 702 CHAPTER 588

JOINT RESOLUTION

July 14, 1956
[S. J. Res. 110]
70 Stat. 531.

Directing the Secretary of the Interior to conduct a study and investigation of Indian education in the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter referred to as the "Secretary"), acting through the Bureau of Indian Affairs, is authorized and directed to conduct a study and investigation of Indian education in the continental United States and Alaska, including a study and investigation of (1) the education problems of Indian children from non-English speaking homes, and (2) the possibility of establishing a more orderly, equitable, and acceptable program for transferring Indian children to public schools.

Indian education.
Study.

⊥SEC. 2. The Secretary, in carrying out the provisions of this joint resolution, is authorized to enter into contracts in accordance with the provisions of the Johnson-O'Malley Act of June 4, 1936 (49 Stat. 1458; 25 U. S. C. 452).

⊥532
Contracts.

SEC. 3. Not later than two years after funds are made available to carry out the purposes of this joint resolution, the Secretary shall submit to the Congress a complete report of the results of such study and investigation, together with such recommendations as he deems desirable.

Report to Congress.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary for carrying out the purposes of this joint resolution.

Appropriation.

Approved, July 14, 1956.

PUBLIC LAW 715 CHAPTER 601

AN ACT

July 14, 1956
[H. R. 6218]
70 Stat. 544

To authorize payment by the Federal Government of the cost of making certain studies necessary to assist the Menominee Tribe of Indians to prepare for the termination of Federal supervision.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 6 of the Act entitled "An Act to provide for a per capita distribution of Menominee tribal funds and authorize the withdrawal of the Menominee Tribe from Federal jurisdiction", approved June 17, 1954 (68 Stat. 250), is amended by changing the period at the end thereof to a comma and by adding "and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as the Secretary shall deem necessary to reimburse the tribe for the expenditure of tribal funds pursuant to this section, or for any other expenditure of tribal funds ⊥approved by the Secretary for the purpose of carrying out the purposes of this Act."

Menominee Indians.
Reimbursement appropriation.

⊥545

Approved, July 14, 1956.

PUBLIC LAW 717 CHAPTER 603

AN ACT

July 14, 1956
[H. R. 7663]
70 Stat. 546

To provide for settlement in part of certain claims of the Uintah and White River Bands of Ute Indians in Court of Claims case numbered 47568, through restoration of subsurface rights in certain lands formerly a part of the Uintah Indian Reservation.

Uintah and White River Bands of Indians. Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after acceptance by the Ute Indian Tribe of the Uintah and Ouray Reservation, in Utah, of the provisions of this Act and the filing by the Uintah and White River Bands of Ute Indians of an amendment to the petition in Court of Claims case numbered 47568, as provided in section 5 hereof, all right, title, and interest in and to the mineral and oil and gas resources of the land described in section 6, shall be restored to tribal ownership and vested in the United States in trust for the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah, subject to valid leases, locations, or other claims that are outstanding as of the effective date of this Act and that are thereafter maintained in compliance with the laws under which they were initiated, and all rentals, royalties, or other payments received by the United States under or on account of such leases after the effective date of this Act shall be deposited into the Treasury of the United States to the credit of the Ute Indian Tribe of the Uintah and Ouray Reservations, in Utah, pursuant to the provisions of the Act of May 17, 1926 (44 Stat. 560), as amended (25 U. S. C., sec. 155), and shall be subject to division between the full-blood and the mixed-blood groups, and shall be available for advance or expenditure, in accordance with the provisions of sections 10 and 11 of the Act of August 27, 1954 (68 Stat. 868).

68 Stat. 873.

SEC. 2. The Ute Indian tribe of the Uintah and Ouray Reservation, in Utah, acting by the tribal business committee representing the full-blood group, and the authorized representatives of the mixed-blood group (in accordance with section 10 of the Act of August 27, 1954, 68 Stat. 868), may prospect, mine, drill, remove, process, or otherwise exploit any or all of the mineral and oil and gas resources of the land described in section 6 of this Act that are not covered by valid leases, locations, or other claims as of the effective date of this Act; may sell or otherwise dispose of any or all of the production obtained through the exploitation of such resources by said tribe; and may issue leases or permits for the prospecting, mining, drilling, removal, or processing of such resources. Each such action shall be in accordance with the provisions of law and of the constitution, bylaws, and corporate charter of said tribe that would be applicable to the taking of like action with respect to mineral resources within the Uintah and Ouray Reservation. Any operations conducted pursuant to this section or under a lease or permit issued pursuant to this section shall also be subject to the direction and control of the Secretary of Agriculture to the extent provided in section 3 of this Act. The mineral resources of the land described in section 6 shall not be subject to disposition otherwise than as provided in this section, except in pursuance of valid leases, locations or other claims existing at the time this Act becomes effective and thereafter maintained in compliance with the laws under which the same were initiated.

⊥1547

⊥SEC. 3. The term "direction and control of the Secretary of Agriculture" as used herein means such administrative supervision by the Secretary of Agriculture as is reasonably necessary to prevent serious injury to the surface resources of the land described in section 6, or the adjoining lands of the Uintah National Forest, but shall not be construed to prohibit the use of the surface, under accepted engineering or mining standards, for installation of mining equipment or machinery, building and maintaining roadways, free ingress and egress for mining and removal of subsurface resources to market, and the mining and removal of subsurface resources, including the sinking of shafts, driving tunnels or other standard mining methods, except that strip or hydraulic mining shall be permitted only if, and under conditions, approved by the Secretary of Agriculture.

SEC. 4. The benefits herein granted to the Ute Indian Tribe of the Uintah and Ouray Reservation, in Utah, shall be in partial settlement

of the claims of the Uintah and White River Bands of Ute Indians pending before the Court of Claims in docket numbered 47568, and upon acceptance, as provided in section 5, shall have the effect of releasing the United States from any claimed liability for the payment of such damages as might be based upon the mineral and oil and gas resources or value thereof attributable to the lands which are the subject matter of that said action. Any jurisdiction of the Court of Claims to make an award of damages including or based upon mineral and oil and gas values in docket numbered 47568 shall be withdrawn upon this Act's taking effect as provided in section 5, and jurisdiction of the Court of Claims in docket numbered 47568 shall thereafter be continued only as to a claim for just compensation based upon the value of the surface rights of the lands which are the subject of that action: *Provided,* That the standard of liability and measure of damages in such action shall in all other respects be determined by the provisions of the Ute Jurisdictional Act of June 28, 1938 (52 Stat. 1209), as amended by the Acts of July 15, 1941 (55 Stat. 593), June 22, 1943 (57 Stat. 160), June 11, 1946 (60 Stat. 255), and sections 1, 2, 11, and 25 of the Act of August 13, 1946 (60 Stat. 1049), except that any money heretofore received by the United States, for or on account of the patenting or other disposition, without reservation of mineral rights, of any of the land covered by the claim, and paid over to or expended for the benefit of the Uintah and White River Bands shall be deemed to be in lieu of compensation for the subsurface values thus disposed of and shall not be allowed as a payment on the claim or an offset against any recovery which may be awarded as compensation for the surface rights.

25 U. S. C. 70, 70a, 70j, 70 note.

SEC. 5. This Act shall not become effective unless and until (1) the Ute Indian Tribe of the Uintah and Ouray Reservation, in Utah, accepts its provisions, in such manner as may be designated by the Secretary of the Interior, within one year after the approval hereof; (2) the Uintah and White River Bands present to the Secretary of the Interior a release, satisfactory to him, of any claims they might have because the Uncompahgre Utes are permitted to share in the benefits of this Act; and (3) an amendment to the petition in docket numbered 47568 is filed with the Court of Claims limiting the prayer for relief as to the claim presently stated therein to just compensation based upon the value of surface rights only, in accordance with section 4 hereof. Such amendment when filed shall relate back to the date of filing of the original petition in docket numbered 47568. Upon the approval of this Act, and pending acceptance or rejection of its provisions by the Indians as provided herein, the land described in section 6 shall be withdrawn from lease, location, entry or any form of disposition under the public land laws except disposition pursuant to valid leases, locations, or other claims that are outstanding as of ⊥the date of approval of this Act and that are thereafter maintained in compliance with the laws under which they were initiated.

Effectivity.

⊥548

SEC. 6. The land covered by this Act is that portion of the one million and ten thousand acres of the former Uintah Reservation added to the Uintah National Forest by Executive order dated July 14, 1905 (34 Stat. 3116), which was not included for payment in the Act of February 13, 1931 (46 Stat. 1092), having been separately classified therein as coal lands and described as comprising thirty-six thousand two hundred and twenty-three acres; excluding, however, such portions thereof as have been patented or otherwise disposed of into private ownership without reservation of mineral rights as of the effective date of this Act; the said area being more particularly described as follows:

Township 1 south, range 8 west, Uintah meridian, Utah: North half, and the north half of the south half of section 16; section 17; lots 2, 3, and 4, and the southeast quarter of the northwest quarter, and the

east half of the southwest quarter, and the northeast quarter of the northeast quarter, and the south half of the northeast quarter, and the southeast quarter of section 18; lot 1, and the northeast quarter of the northwest quarter, and the north half of the northeast quarter of section 19.

Township 1 south, range 9 west, Uintah meridian, Utah: Southeast quarter of the northeast quarter, and the south half of section 13; south half of the south half of section 14; south half of the south half of section 15; the northwest quarter of the southwest quarter, and the south half of the south half of section 16; southwest quarter of the northeast quarter, and the south half of the northwest quarter, and the south half of section 17; section 18; lots 1, 3, and 4, and the northeast quarter of the northwest quarter, and the east half of the southwest quarter, and the north half of the northeast quarter, and the southeast quarter of section 19; section 20; section 21; section 22; section 23; north half and the southwest quarter, and the northwest quarter of the southeast quarter of section 24; the northwest quarter of the northwest quarter of section 25; the north half of section 26; north half of section 27; the north half of section 28; the north half and the east half of the southwest quarter and the north half of the southeast quarter of section 29; lots 1, 2, and 3, and the east half of the northwest quarter, and the northeast quarter of section 30.

Township 1 south, range 10 west, Uintah meridian, Utah: The south half of the south half of section 10; the south half of the south half of section 11; the south half of the south half of section 12; section 13; section 14; section 15; section 16; the northeast quarter and south half of the northwest quarter, and the south half of section 17; the southeast quarter of the northeast quarter, and the southeast quarter of the southwest quarter, and the southeast quarter of section 18; section 19; section 20; section 21; section 22; section 23; section 24; the north half and the north half of the south half of section 25; section 26; section 27; section 28; section 29; the east half and lots 1, 2, 3, and 4, and the east half of the west half of section 30; lots 1, 2, 3, and 4, and the east half of the west half and the east half of section 31; section 32; the north half and the north half of the southwest quarter of section 33; and the northeast quarter of the northeast quarter, and the west half of the northeast quarter, and the northwest quarter of section 34; the north half of the north half of section 35.

Township 1 south, range 11 west, Uintah meridian, Utah: Lots 1, 2, 3, and 4, and the east half of the west half, and the southeast quarter of section 18; section 19; the northwest quarter of the northwest quarter and the south half of the northwest quarter and the southwest quarter and the west half of the southeast quarter of section 20; the east half and the east half of the northwest quarter and the northeast quarter of the southwest quarter of section 25; the west half
1549 of ⊥the southwest quarter and the southeast quarter of the southwest quarter and the southwest quarter of the southeast quarter, of section 28; section 29; section 30; the northeast quarter, and lots 1, 2, 3, and 4, and the east half of the west half, and the southeast quarter of section 31; section 32; section 33; section 34; the west half of section 35; the northeast quarter and the east half of the southeast quarter of section 36.

Township 1 south, range 12 west, Uintah meridian, Utah: Lots 1, 2, 3, and 4, and the south half of the south half of section 12; section 13; section 24; the northeast quarter, and the northwest quarter of the southeast quarter of section 25.

Township 2 south, range 10 west, Uintah meridian, Utah: Section 4, section 5; section 6; section 7; section 8; section 9.

Township 2 south, range 11 west, Uintah meridian, Utah: Lots 3 and 4 of section 2; lots 1, 2, 3, and 4, and the south half of the north half

and the south half of section 3; lots 1, 2, 3, and 4, and the south half of the north half and the south half of section 4.

Purpose.

SEC. 7. This Act is for the purpose of effecting partial settlement of the claims asserted by the Uintah and White River Bands of Ute Indians against the United States in Court of Claims case numbered 47568 and shall not be construed as giving recognition to any rights or title of the Uintah, White River, or Uncompahgre Bands of Ute Indians except as provided for in this Act.

Approved, July 14, 1956.

PUBLIC LAW 718 CHAPTER 604

AN ACT

July 14, 1956
[H. R. 9280]
70 Stat. 549

Relating to the plan for control of the property of the Menominee Indian Tribe, and for other purposes.

Menominee Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act entitled "An Act to provide for a per capita distribution of Menominee tribal funds and authorize the withdrawal of the Menominee Tribe from Federal jurisdiction", approved June 17, 1954 (68 Stat. 250), is amended to read as follows:

Tribal property control plan.

"SEC. 7. The tribe shall as soon as possible and in no event later than December 31, 1957, formulate and submit to the Secretary a plan for the future control of the tribal property and service functions now conducted by or under the supervision of the United States, including, but not limited to, services in the fields of health, education, welfare, credit, roads, and law and order, and for all other matters involved in the withdrawal of Federal supervision. The Secretary is authorized to provide such reasonable assistance as may be requested by officials of the tribe in the formulation of the plan heretofore referred to, including necessary consultations with representatives of Federal departments and agencies, officials of the State of Wisconsin and political subdivisions thereof, and members of the tribe: *Provided,* That the responsibility of the United States to furnish all such supervision and services to the tribe and to the members thereof, because of their status as Indians, shall cease on December 31, 1958, or on such earlier date as may be agreed upon by the tribe and the Secretary. The plan shall contain provision for protection of the forest on a sustained yield basis, and for the protection of the water, soil, fish and wildlife. To the extent necessary, the plan shall provide for such terms of transfer pursuant to section 8 of this Act, by trust or otherwise, as shall insure the continued fulfillment of the plan. The Secretary, after approving the plan, shall cause the plan to be published ⊥in the Federal Register. The sustained yield management requirement contained in this Act shall not be construed by any court to impose a financial liability on the United States."

Publication in FR.

1550

SEC. 2. Section 8 of such Act of June 17, 1954, is amended to read as follows:

Property title transfer.

"SEC. 8. The Secretary is hereby authorized and directed to transfer to the tribe, on December 31, 1958, or on such earlier date as may be agreed upon by the tribe and the Secretary, the title to all property, real and personal held in trust by the United States for the tribe: *Provided, however,* That if the tribe obtains a charter for a corporation or otherwise organizes under the laws of a State or of the District of Columbia for the purpose, among any others, of taking title to all tribal lands and assets and enterprises owned by the tribe or held in trust by the United States for the tribe, and requests such transfer to be made to such corporation or organization, the Secretary shall make such transfer to such corporation or organization. The Secretary is authorized, in his discretion, to transfer to the tribe or any member or group of members thereof any federally owned property acquired,

withdrawn, or used for the administration of the affairs of the tribe which he deems necessary for Indian use, or to transfer to a public or nonprofit body any such property which he deems necessary for public use and from which members of the tribe will derive benefits."

Approved, July 14, 1956.

PUBLIC LAW 721 CHAPTER 607

July 14, 1956
[H. R. 9974]

AN ACT

70 Stat. 553

To amend section 1 of the Act entitled "An Act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin", approved March 28, 1908, as amended.

Menominee Indian Reservation. Lumber.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin", as amended, be, and hereby is amended by deleting the words "*Provided,* That not more than twenty million feet of timber shall be cut in any one year" and inserting in lieu thereof the following: "*Provided,* That not more than twenty million feet of saw logs, veneer logs and comparable timber and not more than two million board feet of poles, posts, bolts, pulpwood and other miscellaneous forest products shall be cut in any one year".

Approved, July 14, 1956.

PUBLIC LAW 736 CHAPTER 645

July 20, 1956
[H. R. 9451]

AN ACT

70 Stat. 581

To provide that certain lands shall be held in trust for the Seminole Indians and to provide that certain lands shall be designated as a reservation for Seminole Indians.

Seminole Indian reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the equitable title to the lands and interests in lands together with the improvements thereon, acquired by the United States under authority of title II of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115), and section 55 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (49 Stat. 750, 781), administrative jurisdiction over which was transferred from the Secretary of Agriculture to the Secretary of the Interior by Executive Order Numbered 7868, dated April 15, 1938, for the use of the Seminole Tribe, is hereby conveyed to the Seminole Tribe of Indians in the State of Florida, and such lands and interests are hereby declared to be held by the United States in trust for the Seminole Tribe of Indians in the State of Florida in the same manner and to the same extent as other land held in trust for such tribe.

15 U. S. C. ch. 16.

SEC. 2. The lands declared to be held in trust for the Seminole Tribe of Indians in the State of Florida under the first section of this Act and all lands which have been acquired by the United States for the Seminole Tribe of Indians in the State of Florida under authority of the Act entitled "An Act to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes" approved June 18, 1934 (48 Stat. 984), are hereby declared to be a reservation for the use and benefit of such Seminole Tribe in Florida.

25 U. S. C. 463.

SEC. 3. Nothing in this Act shall deprive any Indian of any

individual right, ownership, right of possession, or contract right he may have in any land or interest in land referred to in this Act.

Approved, July 20, 1956.

PUBLIC LAW 751 CHAPTER 660

AN ACT

July 20, 1956
[H. R. 11163]
70 Stat. 595

To amend section 2 of the Act of March 29, 1956 (70 Stat. 58), authorizing the conveyance to Lake County, California, of the Lower Lake Rancheria, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of March 29, 1956 (70 Stat. 58), is amended by striking all of the section following the phrase "for the following-described land, to wit", and inserting: "Beginning at a point on the east line of lot 2, section 34, township 13 north, range 7 west, Mount Diablo base and meridian, that is situated south 48 degrees 17 minutes 30 seconds east, a distance of 849.39 feet from a point that is north 48 degrees 19 minutes 57 seconds west, a distance of 4,276.27 feet from the southeast corner of said section 34 and from said point of beginning, running thence north along the east line of said lot 2 to the center of said ⊥section 34; thence east along the line running east and west through the center of said section 34, a distance of 431.9 feet; thence north 18 degrees 12 minutes west, a distance of 464.5 feet; thence west to the west line of said lot 2; thence south along the west line of said lot 2 to the U.S. meander line of Clear Lake; thence southeasterly along said meander line to the east line of said lot 2; thence north along the east line of said lot 2, to the point of beginning, containing 41 acres, more or less."

Lower Lake Rancheria, Lake County, Calif.
Ante, p. 59.

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Approved, July 20, 1956.

PUBLIC LAW 758 CHAPTER 670

AN ACT

July 24, 1956
[S. 2517]
70 Stat. 605

To amend subsection 3(a) of the Act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 3 of the Act approved August 8, 1947 (61 Stat. 920), is hereby amended by striking out the period at the end of said subsection and inserting in lieu thereof a colon and the following: "*Provided,* That all receipts heretofore and hereafter received from the sale of such timber shall be subject to the provisions of the Act of May 23, 1908 (35 Stat. 260), as amended, and the Act of March 4, 1913 (37 Stat. 843), as amended. If any claims of possessory rights to lands or timber within the exterior boundaries of the Tongass National Forest are determined to be valid, the Territory of Alaska shall pay to the United States 25 per centum of the moneys required to satisfy such claims: *Provided,* That the Territory shall not be required to pay to the United States any amount in excess of the total amount received by the Territory from the United States pursuant to the Act of March 23, 1908: *Provided further,* That such payments by the Territory to the United States shall, to the extent possible, be effected by deductions from the amounts otherwise payable to the Territory pursuant to such Act".

Tongass National Forest, Alaska.

16 U. S. C. 500, 501.

Approved, July 24, 1956.

PUBLIC LAW 767 CHAPTER 679

AN ACT

July 24, 1956
[H. R. 5566]
70 Stat. 624

To terminate the existence of the Indian Claims Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the

Indian Claims Commission.
Termination.
60 Stat. 1055.

United States of America in Congress assembled, That section 23 of the Indian Claims Commission Act approved August 13, 1946 (60 Stat. 1049, 1055; 25 U. S. C., sec. 70v), is hereby amended to read as follows:

"SEC. 23. The existence of the Commission shall terminate at the end of five years from and after April 10, 1957, or at such earlier time as the Commission shall have made its final report to the Congress on all claims filed with it. Upon its dissolution the records of the Commission shall be delivered to the Archivist of the United States."

Approved, July 24, 1956.

PUBLIC LAW 769 CHAPTER 681

July 24, 1956
[H. R. 5838]
70 Stat. 625

AN ACT

To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range.

Indians.
Pine Ridge Sioux Tribe.
Payment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to pay the sum of $3,500 to the head of each of the one hundred and twenty-five Indian families determined by the report entitled "Investigation of the Pine Ridge Aerial Gunnery Range Taking for the Committee on Interior and Insular Affairs, United States House of Representatives", submitted by the Department of the Interior on April 10, 1952, in response to a resolution of the Committee on Public Lands of the House of Representatives, adopted March 4, 1950, to have actually been domiciled on August 1, 1942, on the land belonging to the Pine Ridge Sioux Tribe of Indians, South Dakota, which was taken by the Department of the Army in 1942 for the Pine Ridge aerial gunnery range. The Secretary of the Interior shall make such payment of $3,500 to the heirs or devisees of any such head of a family who is deceased. Payment of such sum shall be in full and complete settlement of all claims of such Indians and their heirs or devisees against the United States for damages suffered as a result of being forced to move from their homes, and being forced to relocate and reestablish themselves elsewhere because such lands were taken for an aerial gunnery range and the distribution of funds under this Act shall not be subject to any lien, except for debts owed to the United States or to Indian organizations indebted to the United States, and shall not be taxable.

SEC. 2. There is hereby authorized to be appropriated to carry out the purposes of the first section of this Act the sum of $437,500.

Approved, July 24, 1956.

PUBLIC LAW 772 CHAPTER 684

July 24, 1956
[H. R. 7190]
70 Stat. 626

AN ACT

Restoring to tribal ownership certain lands upon the Colville Indian Reservation, Washington, and for other purposes.

Colville Indian Reservation.
Land restored.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the undisposed-of lands of the Colville Indian Reservation, Washington, dealt with by the Act of March 22, 1906 (34 Stat. 80), are hereby restored to tribal ownership to be held in trust by the United States to the same extent as all other tribal lands on the existing reservation, subject to any existing valid rights.

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⊥SEC. 2. For the purpose of effecting land consolidations between the Colville Indians and non-Indians in Ferry and Okanogan Counties, the Secretary of the Interior is hereby authorized, with the consent of the tribal council as evidenced by a resolution adopted in accordance with the constitution and bylaws of the tribe, under such regulations as he may prescribe, to sell or exchange tribal lands in connection

with the acquisition of lieu lands, and to acquire through purchase, exchange, or relinquishment, lands or any interest in lands, water rights, or surface rights. The acquisition of lands pursuant to this Act shall be limited to lands within the boundary of the reservation. Exchanges of lands, including improvements thereon, shall be made on the basis of approximate equal value. In carrying out the provisions of this Act, if non-Indian lands are involved the board of county commissioners of counties in which land is located shall by proper resolution consent before such non-Indian land is acquired for the tribe or an individual Indian. No lands or interests in lands owned by the Confederated Tribes of the Colville Reservation shall be subject to disposition hereafter without the consent of the duly authorized governing body of the tribes, and no lands or interests in lands shall be acquired for the tribes without the consent of the said governing body.

SEC. 3. Title to lands or any interest therein acquired pursuant to this Act shall be taken in the name of the United States of America in trust for the tribe or individual Indian and shall be nontaxable as other tribal and allotted trust Indian lands of the Colville Reservation.

SEC. 4. The agreement entered into by the Confederated Tribes of the Colville Reservation and Okanogan and Ferry Counties of the State of Washington on April 21, 1954, is hereby ratified and approved.

SEC. 5. The Business Council of the Confederated Tribes of the Colville Reservation shall, in accordance with resolution numbered 1955–33, dated April 8, 1955, of the Colville Business Council, submit to the Secretary of the Interior within five years from the date of enactment of this Act proposed legislation providing for the termination of Federal supervision over the property and affairs of the Confederated Tribes and their members within a reasonable time after the submission of such proposed legislation.

Approved, July 24, 1956.

PUBLIC LAW 794 CHAPTER 723

AN ACT

July 25, 1956
[S. 3397]

70 Stat. 642

To amend section 3 of the Act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapahoe Tribes of the Wind River Reservation", approved May 19, 1947 (ch. 80, 61 Stat. 102), as amended, is hereby amended to read as follows:

Indians.
Shoshone and Arapahoe Tribes.

25 U. S. C. 613.

"SEC. 3. Notwithstanding any other provision of existing law, the trust funds credited to the Shoshone Tribe and the Arapahoe Tribe, ⊥respectively, under the provisions of this Act shall be available for expenditure or for advance to the tribe for such purposes as may be requested by the tribal council and approved by the Secretary of the Interior or such official as may be designated by him: *Provided*, That commencing with the quarterly period beginning April 1, 1956, 85 per centum of all sums credited to said trust funds during the period ending May 19, 1959, shall be paid on the first day of September, the first day of December, the first day of March, and the first day of June each year, per capita, to the individual members of said tribes: *Provided further*, That said per capita payments shall not be subject to any lien or claim of any nature against any of the members of said tribes unless the tribal council of such member shall consent thereto in writing, except as to reimbursable Treasury loans made to individual members of either tribe which may be due to the United States,

Per capita payments.

⊥643

and except as to irrigation charges owed by individual Indians to the United States with respect to lands for which water is requested and received by said individual Indians, and with respect to lands that are determined by the Secretary of the Interior to be properly classified under existing law on the basis of a survey to be undertaken by the Secretary after the date of the enactment of this Act: *Provided further*, That nothing in this Act shall be construed to limit the existing authority of the Secretary to protect and conserve the per capita funds payable to members of the tribes who are minors, non compos mentis, or who, in the opinion of the Secretary, are in need of assistance in conducting their affairs."

Report to Congress.

SEC. 2. As a basis for determining the conditions under which per capita payments may be authorized after May 19, 1959, the Secretary of the Interior is requested to report to the Congress before January 1, 1958, (1) his recommendations regarding any new authority, if any, that he believes is needed in order to protect adequately the interests of minors and incompetent Indians, (2) the results of a survey and reclassification of the lands that should be removed from the irrigation project, and (3) the adequacy of the tribal contribution to the cost of administering the reservation.

Approved, July 25, 1956.

PUBLIC LAW 800 CHAPTER 729

July 25, 1956
[H. R. 11766]
70 Stat. 651

AN ACT

To provide for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama.

Horseshoe Bend National Military Park, Ala.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when not less than five hundred acres of the non-Federal lands hereinafter described (together with improvements thereon) and known as the Horseshoe Bend Battle Ground on the Tallapoosa River, in the State of Alabama, shall have been acquired and transferred free and clear of all encumbrances to the United States without expense to the Federal Government, such areas shall be, and are hereby, dedicated and set apart as a unit of the National Park System for the benefit and enjoyment of the people of the United States, under the name of the Horseshoe Bend National Military Park.

Examination of area.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to make an examination of the Horseshoe Bend Battle Ground with a view to determining the area or areas thereof deemed desirable for inclusion in the Horseshoe Bend National Military Park and which, except for not more than twenty acres of any other lands adjacent to such battleground found by the Secretary to be necessary to carry out the provisions of this Act, lie within the lands particularly described as follows: Sections 13, 14, 15, 22, and 23, all township 23 north, range 23 east, Saint Stephens meridian.

Administration.

SEC. 3. (a) The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop the park, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535), as amended.

16 U. S. C. 1 *et seq.*

Roads, trails, etc.

(b) In order to provide for the proper development and maintenance of the park, the Secretary of the Interior shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

Effectivity.

SEC. 4. This Act shall become effective if and when the requirements of sections 1 and 2 hereof shall have been fully complied with to the satisfaction of the President of the United States, who shall then issue a notice declaring that the requirements herein have been met,

and said notice shall formally dedicate and set aside the areas transferred to the United States in accordance with the provisions of section 1 hereof.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. Appropriation.

Approved, July 25, 1956.

PUBLIC LAW 814 CHAPTER 748

AN ACT

July 27, 1956
[H. R. 12138]
70 Stat. 678

Making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1957") for the fiscal year ending June 30, 1957, and for other purposes, namely: Supplemental Appropriation Act, 1957.

* * *

⊥CHAPTER VIII—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥688

PUBLIC HEALTH SERVICE

For additional amounts for appropriations to the Public Health Service for the fiscal year ending June 30, 1956, as follows:

"Assistance to States, general", $11,000; and

"Hospitals and medical care", $268,500.

For additional amounts for appropriations to the Public Health Service, as follows:

* * *

"Indian health activities", $650,000;

* * *

Approved, July 27, 1956.

PUBLIC LAW 837 CHAPTER 781

AN ACT

July 30, 1956
[S. 3926]
70 Stat. 721

To authorize the Secretary of the Interior to charge for special services to purchasers of timber from Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to charge purchasers of timber on Indian ⊥lands that are held by the United States in trust, or that are subject to restrictions against alienation or encumbrance imposed by the United States, for special services requested by the purchasers in connection with scaling, timber marking, or other activities under the contract of purchase that are in addition to the services otherwise provided by the Secretary, and the proceeds derived therefrom shall be deposited to the credit of the appropriation from which the special services were or will be provided. Timber on Indian lands. Service charges. ⊥722

Approved, July 30, 1956.

PUBLIC LAW 854 CHAPTER 804

AN ACT

July 31, 1956
[H. R. 7619]
70 Stat. 736

To adjust the rates of compensation of the heads of the executive departments and of certain other officials of the Federal Government, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Federal Executive Pay Act of 1956.

TITLE I—BASIC COMPENSATION FOR HEADS OF EXECUTIVE DEPARTMENTS AND OTHER FEDERAL OFFICIALS

SEC. 101. This title may be cited as "Federal Executive Pay Act of 1956".

* * *

⊥737

⊥SEC. 106.

* * *

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⊥(c) The annual rate of basic compensation of each of the offices or positions listed in this subsection shall be $18,000.

(1) Commissioner of the Indian Claims Commission (3).

* * *

Approved, July 31, 1956.

PUBLIC LAW 855 CHAPTER 805

July 31, 1956
[H. R. 12350]
70 Stat. 763

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

Second Supplemental Appropriation Act, 1957.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1957") for the fiscal year ending June 30, 1957, and for other purposes, namely:

* * *

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⊥CHAPTER V—DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

RESOURCES MANAGEMENT

For an additional amount for "Resources management", $250,000.

PAYMENT TO PINE RIDGE SIOUX TRIBE OF INDIANS

For payments, as authorized by law, to certain members of the Pine Ridge Sioux Tribe of Indians, in settlement of their claims for damages resulting from the establishment of the Pine Ridge aerial gunnery range, $437,500, to remain available until expended.

* * *

Approved, July 31, 1956.

PUBLIC LAW 857 CHAPTER 808

August 1, 1956
[S. 3658]
70 Stat. 774

AN ACT

To amend the Act of May 11, 1938 (52 Stat. 347), so as to authorize, by agreement, the subsurface storage of oil or gas in restricted Indian lands, tribal or allotted.

Indian lands.
Subsurface storage of oil or gas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 11, 1938 (52 Stat. 347), is amended by adding at the end thereof (25 U. S. C. 396d) a new section 8 as follows:

"The Secretary of the Interior, to avoid waste or to promote the conservation of natural resources or the welfare of the Indians, is hereby authorized in his discretion to approve leases of lands that are subject to lease under section 1 of this Act or the Act of March 3, 1909

(35 Stat. 783, 25 U. S. C. 396), for the subsurface storage of oil and gas, irrespective of the lands from which initially produced, and the Secretary is hereby authorized, in order to provide for the subsurface storage of oil or gas, to approve modifications, amendments, or extensions of the oil and gas or other mining lease(s), if any, in effect as to restricted Indian lands, tribal or allotted, and may promulgate rules and regulations consistent with such leases, modifications, amendments, and extensions, relating to the storage of oil or gas thereunder. Any such leases may provide for the payment of a storage fee or rental on such stored oil or gas or, in lieu of such fee or rental, for a royalty other than that prescribed in the lease when such stored oil or gas is produced in conjunction with oil or gas not previously produced. It may be provided that any oil and gas lease under which storage of oil or gas is so authorized shall be continued in effect at least for the period of such storage use and so long thereafter as oil or gas not previously produced is produced in paying quantities."

Approved, August 1, 1956.

PUBLIC LAW 858 CHAPTER 809

August 1, 1956
[S. 497]
70 Stat. 775

AN ACT

To authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of furnishing water for the irrigation of approximately fifty thousand acres of land in the Carson and Truckee River Basins, Nevada and California, providing drainage service to approximately thirty-one thousand acres of land therein, firming the existing water supplies of lands under the Truckee River storage project and the Newlands project, controlling floods, providing hydroelectric power, development of fish and wildlife resources, and for other beneficial purposes, the Secretary of the Interior is authorized to construct, operate, and maintain the Washoe reclamation project consisting of two principal reservoirs at the Stampede and Watasheamu sites, together with other necessary works for the impounding, diversion, and the delivery of water, the generation and transmission of hydroelectric power, and the drainage of lands. The dam at the Stampede site shall be so constructed as to permit its ultimate enlargement to a height at which the reservoir will have a capacity of approximately one hundred and seventy-five thousand acre-feet.

Washoe reclamation project, Nev.-Calif.

SEC. 2. (a) In constructing, operating, and maintaining the works authorized in section 1 of this Act, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 389, and Acts amendatory thereof or supplementary thereto) except as is otherwise provided in this Act.

43 U. S. C. 371 note.

(b) Any contract entered into under section 9, subsection (d) of the Reclamation Project Act of 1939 (53 Stat. 1187, 1193; 43 U. S. C., 1952 edition, sec. 458h) for payment of those portions of the costs of constructing, operating, and maintaining the Washoe reclamation project which are properly allocable to irrigation and drainage and which are assigned to be paid by the contracting organization may provide for the repayment of the portion of the construction cost of the project assigned to any project contract unit or, if the contract unit be divided into two or more irrigation or drainage blocks, to any such block over a period of not more than fifty years, exclusive of any permissible development period, or as near thereto as is consistent with the adoption and operation of a variable payment formula which, being based on full repayment within the period stated under normal conditions, permits variance in the required annual payments in the light of economic factors pertinent to the ability of the organization to

Contract.

43 U. S. C. 485h.

Supplemental water supply.

pay: *Provided*, That any contract for a supplemental water supply for irrigation under this Act may omit provisions complying with the third sentence of paragraph (a) of section 46 of the Act of May 25, 1926 (44 Stat. 649) if such contract, in lieu of such provisions, provides that the pro rata share of the irrigation allocation which is attributable to furnishing irrigation benefits, in each particular year, to land held in private ownership by any one owner in excess of one hundred and sixty irrigated acres, shall be returned with interest determined in accordance with subparagraph (c) of this section, except that such payment for the excess lands shall not exceed an amount equal to the increased payment capacity of the excess lands, as determined by the Secretary of the Interior, resulting from the supplemental water supply.

43 U. S. C. 423e.

Net revenues.

(c) Notwithstanding any other provision of law to the contrary, all net revenues derived from the sale of commercial power from the Washoe reclamation project shall be applied, first, to the amortization of that portion of the cost of constructing the project which is allocated

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⊥to commercial power with interest on the unamortized balance thereof at the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this Act, and thereafter to the amortization of that portion of the cost of constructing the project which is allocated to irrigation but which is beyond the ability of the contracting irrigation organizations to repay as provided above, including interest that would have been paid by the irrigators on that portion of the irrigation allocation attributable to furnishing irrigation benefits to excess lands which is not repaid under section 2 (b) above: *Provided*, That the Secretary, prior to the delivery of project water supplies, shall have entered into a contract or contracts with an organization or organizations as defined in paragraph 2 (g) of the Reclamation Project Act of 1939 (53 Stat. 1187) which have the capacity to levy assessments upon all taxable real property located within their boundaries to assist in making repayments.

43 U. S. C. 485a.

Alpine County, Calif.

(d) Water users in Alpine County, California, shall have the opportunity to contract for project water made available by the Watasheamu Reservoir before such project water is offered for the development of any new land in Nevada. Should any such project water be contracted for by Alpine County water users, then in that event such users shall be permitted to exchange such water for existing rights to natural flow or stored water of the West Carson River.

Little Truckee River.

(e) The use of waters of the Little Truckee River solely for the generation of electric power by the Washoe project shall not impair or preclude the appropriation of such waters in the future for beneficial consumptive use within the Little Truckee River watershed in California to the same extent as such waters may be presently available for such appropriation in the State of California: *Provided*, That if and when an interstate compact covering the distribution and use of the waters of the Truckee and Carson Rivers is approved by the Legislatures of the States of California and Nevada and is consented to by Congress, the operation of the Washoe reclamation project shall be in conformance with such compact, and the foregoing restriction shall not apply.

Facilities for access, public health, etc.

SEC. 3. The Secretary is authorized to investigate, plan, construct, operate, and maintain minimum basic facilities for access to, and for the maintenance of public health and safety and the protection of public property on, lands withdrawn or acquired for the development of the Washoe project, to conserve the scenery and natural, historic, and archeologic objects, and to provide for public use and enjoyment of the same and of the water areas created by this project by such means as are consistent with its primary purposes. The Secretary is authorized to withdraw from entry or other disposition under the

public land laws such public lands as are necessary for the construction, operation, and maintenance of said minimum basic facilities and for the other purposes specified in this section and to dispose of such lands to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance upon such terms and conditions as will best promote their development and operation in the public interest. The Secretary is further authorized to investigate the need for acquiring other lands for said purposes and to report thereon to the Committees on Interior and Insular Affairs of the Senate and House of Representatives, but no lands shall be acquired solely for any of these purposes other than access to project lands and the maintenance of public health and safety and the protection of public property thereon without further authorization by the Congress. All costs incurred pursuant to this section shall be nonreimbursable and nonreturnable.

Report to Congressional committees.

⊥SEC. 4. Facilities shall be provided for the development of the fish and wildlife resources of the project area including facilities to permit increased minimum water releases from Lake Tahoe and restoration of the Pyramid Lake fishery. The cost of such facilities, including operation and maintenance, shall be nonreimbursable. The cost to the Federal Government of constructing these facilities shall not exceed $2,000,000. This amount shall not include the cost of measures undertaken, pursuant to section 2 of the Act of August 14, 1946 (60 Stat. 1080, 16 U. S. C. 661a), to mitigate damages to fish and wildlife resources occasioned by the Washoe project as authorized by section 1 of this Act.

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Fish and wildlife resources.

Limitation.

16 U. S. C. 662.

SEC. 5. There is hereby authorized to be appropriated for construction of the Washoe reclamation project the sum of $43,700,000 plus such amounts, if any, as may be required by reason of changes in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein and, in addition thereto, such sums as may be required to operate and maintain the project: *Provided*, That the appropriation of funds for the construction, operation, or maintenance of facilities authorized by section 4 of this Act shall not be from the reclamation fund.

Appropriation.

Approved, August 1, 1956.

PUBLIC LAW 871 CHAPTER 822

August 1, 1956
[H. R. 6403]
70 Stat. 792

AN ACT

To amend title 18, entitled "Crimes and Criminal Procedure", of the United States Code, to provide a criminal sanction for the embezzlement or theft of the property of Indian tribal organizations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 53 of title 18, United States Code, is hereby amended by inserting at the end of the chapter analysis preceding section 1151 of such title the following new item:

Indians.
Theft of tribal property.
62 Stat. 757.

"1163. Embezzlement and theft from Indian tribal organizations."

SEC. 2. Title 18, United States Code, is hereby amended by inserting in chapter 53 thereof immediately after section 1162 a new section, to be designated as section 1163, as follows:

67 Stat. 588.

"§ 1163. Embezzlement and theft from Indian tribal organizations.

"Whoever embezzles, steals, knowingly converts to his use or the use of another, willfully misapplies, or willfully permits to be misapplied, any of the moneys, funds, credits, goods, assets, or other property belonging to any Indian tribal organization or intrusted to the custody or care of any officer, employee, or agent of an Indian tribal organization; or

⊥"Whoever, knowing any such moneys, funds, credits, goods, assets, or other property to have been so embezzled, stolen, converted,

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misapplied or permitted to be misapplied, receives, conceals, or retains the same with intent to convert it to his use or the use of another—

Penalty.

"Shall be fined not more than $5,000, or imprisoned not more than five years, or both; but if the value of such property does not exceed the sum of $100, he shall be fined not more than $1,000, or imprisoned not more than one year, or both.

"As used in this section, the term 'Indian tribal organization' means any tribe, band, or community of Indians which is subject to the laws of the United States relating to Indian affairs or any corporation, association, or group which is organized under any of such laws."

Approved, August 1, 1956.

August 1, 1956
[S. 3970]
70 Stat. 893

PUBLIC LAW 887 CHAPTER 843

AN ACT

To provide for the termination of Federal supervision over the property of the Wyandotte Tribe of Oklahoma and the individual members thereof, and for other purposes.

Wyandotte Tribe, Okla.
Termination of Federal supervision.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to provide for the termination of Federal supervision over the trust and restricted property of the Wyandotte Tribe of Oklahoma and the individual members thereof, and for a termination of Federal services furnished to such Indians because of their status as Indians.

Definitions.

SEC. 2. For the purposes of this Act:

(a) "Tribe" means the Wyandotte Tribe of Oklahoma.

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" mean real property, interest therein, or improvement thereon, and include water rights.

(d) "Tribal property" means any real or personal property, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

Membership roll.

SEC. 3. The tribe shall have a period of six months from the date of this Act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this Act, which shall be published in the Federal Register. The proposed roll shall be prepared in accordance with eligibility requirements prescribed in the tribe's constitution and bylaws. If the tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within sixty days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this Act.

Publication in FR.

Personal property rights.

SEC. 4. Upon publication in the Federal Register of the final roll as provided in section 3 of this Act, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 5 of this Act without the approval of the Secretary. Any contract made in violation of this section shall be null and void.

Transfer or distribution of property.

SEC. 5. (a) Upon the request of the tribe, the Secretary is authorized within three years from the date of this Act to transfer to a corporation or other legal entity organized by the tribe in a form satisfactory

to the Secretary title to all or any part of the tribal property, or to transfer to one or more trustees designated by the tribe and approved by the Secretary title to all or any part of such property to be held in trust for management or liquidation purposes under such terms and conditions as may be specified by the tribe and approved by the Secretary, or to distribute pro rata among the members of the tribe all or any part of such property, or to sell all or any part of such property and make a pro rata distribution of the proceeds of sale among the members of the tribe after deducting, in his discretion, reasonable costs of sale and distribution.

Trust agreement.

(b) Title to any tribal property that is not transferred in accordance with the provisions of subsection (a) of this section shall be transferred by the Secretary to one or more trustees designated by him for the liquidation and distribution the members of the tribe under such terms and conditions as the Secretary may prescribe: *Provided*, That the trust agreement shall provide for the termination of the trust not more than three years from the date of such transfer unless the term of the trust is extended by order of a judge of a court of record designated in the trust agreement: *Provided further*, That the trust agreement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereto to a corporation, other legal entity, or trustee in accordance with the provisions of subsection (a) of this section, and that the trustees shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary.

Burying ground, Kansas City, Kans. Sale or transfer.

(c) Title to the tract of land in Kansas City, Kansas, that was reserved for a public burying ground under article 2 of the treaty dated January 31, 1855 (10 Stat. 1159), with the Wyandotte Tribe of Indians shall be transferred or sold in accordance with subsections (a) and (b) of this section, and the proceeds from any sale of the land may be used to remove and reinter the remains of persons who are buried there, to move any monuments now located on the graves, and to erect at reasonable cost one appropriate monument dedicated to the memory of the departed members of the Wyandotte Tribe: *Provided*, That if S. 1335 or comparable legislation is enacted by the Eighty-fourth Congress, any sale or transfer of such land shall be deferred until three months after the report required by such legislation has been submitted to Congress, during which time Congress shall decide whether to provide for the sale or disposition of the land on the basis of such report.

Compensation of agents, etc.

(d) The Secretary shall not approve any form of organization pursuant to subsection (a) of this section that provides for the transfer of stock or an undivided share in corporate assets as compensation for the services of agents or attorneys unless such transfer is based upon an appraisal of tribal assets that is satisfactory to the Secretary.

Selection of trustees.

(e) When approving or disapproving the selection of trustees in accordance with the provisions of subsection (a) of this section, the Secretary shall give due regard to the laws of the State of Oklahoma that relate to the selection of trustees.

Transfer of members.

SEC. 6. (a) The Secretary is authorized and directed to transfer within three years after the date of this Act to each member of the tribe unrestricted title to funds or other personal property held in trust for such member by the United States.

Removal of restrictions.

(b) All restrictions on the sale or encumbrance by the owners of trust or restricted lands that were originally allotted to persons who were at the time of allotment members of the tribe, regardless of whether such owners are themselves members of such tribe, and all restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor), regardless of where the land is located,

are hereby removed three years after the date of this Act and the patents or deeds under which titles are then held shall pass the titles in fee simple subject to any valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance three years or more after the date of this Act shall vest in such members in fee simple, subject to any valid encumbrance.

Partition or sale before removal of restrictions.

⊥1895

⊥(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of the tribe, the Secretary may—

(1) upon request of any of the owners made within two years after the date of this Act, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted three years from the date of this Act;

(2) upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof, and distribute the proceeds of sale to the owners: *Provided*, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) if the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

Probate, etc.

25 U. S. C. 372 *et seq.*

SEC. 7. (a) The Act of June 25, 1910 (36 Stat. 855), the Act of February 14, 1913 (37 Stat. 678), and other Acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of the trust and restricted property of the members of the tribe who die six months or more after the date of this Act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribe who die six months or more after the date of this Act.

Tax exemption.

SEC. 8. No property distributed under the provisions of this Act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this Act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

Appointment of guardians.

SEC. 9. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this Act, the Secretary shall protect the rights of members of the tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

Advances of funds.

SEC. 10. Pending the completion of the property dispositions provided for in this Act, the funds now on deposit or hereafter deposited in the Treasury of the United States to the credit of the tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary.

Execution of patents, etc.

SEC. 11. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions

of this Act, or to establish a marketable and recordable title to any property disposed of pursuant to this Act.

Prior leases, etc. Transfer of functions.

SEC. 12. Nothing in this Act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property sub-⊥ject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency, or to a State agency with the consent of such agency and the other party or parties to such instrument.

⊥896

Termination proclamation. Publication in FR.

SEC. 13. (a) Upon removal of Federal restrictions on the property of the tribe and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

Citizenship.

(b) Nothing in this Act shall affect the status of the members of the tribe as citizens of the United States.

Educational program.

(c) Prior to the issuance of a proclamation in accordance with the provisions of this section, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or persons. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

Revocation of charter. 25 U. S. C. 501–509.

SEC. 14. (a) Effective on the date of the proclamation provided for in section 13 of this Act, the corporate charter issued pursuant to the Act of June 26, 1936 (49 Stat. 1967), as amended, to the Wyandotte Tribe of Oklahoma and ratified by the tribe on July 24, 1937, is hereby revoked.

Termination of powers.

(b) Effective on the date of the proclamation provided for in section 13 of this Act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this Act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this Act without the participation of the Secretary or other officer of the United States.

Claims.

SEC. 15. Nothing in this Act shall affect any claims heretofore filed against the United States by the tribe.

Water rights.

SEC. 16. Nothing in this Act shall abrogate any water rights of a tribe or its members.

Rules and regulations.

SEC. 17. The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this Act and may in his

discretion provide for tribal referendums on matters pertaining to management or disposition of tribal assets.

Repeals.
25 U. S. C. 501–509, 1897
25 U. S. C. 461–479

SEC. 18. All Acts or parts of Acts inconsistent with this Act are hereby repealed insofar as they affect the tribe or its members. The Act of June 26, 1936 (49 Stat. 1967), and the Act of June 18, 1934 ⊥(48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378), shall not apply to the tribe and its members after the date of the proclamation provided for in section 3 of this Act.

Separability.

SEC. 19. If any provision of this Act, or the application thereof, to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Approved, August 1, 1956.

PUBLIC LAW 897 CHAPTER 853

August 1, 1956
[H. R. 8474]
70 Stat. 912

AN ACT

To quiet title and possession with respect to certain real property in the State of Alabama.

Alabama
Real property quiet title

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the United States hereby releases, relinquishes, remises, and quitclaims all right, title, interest, claim, or demand which it may have in and to the tract of land described in subsection (b) of this Act to the person or persons who, under the laws of the State of Alabama (including the laws of prescription and adverse possession), are or would be, except for any claim of right, title, or interest in and to such tract of land on the part of the United States, the lawful owners of such land. The restrictions on the alienation of such land that are contained in the Act of May 29, 1830, are repealed, and the validity of all transfers of title to such land that were made after May 29, 1830, shall be determined according to the laws of Alabama.

6 Stat. 441.

(b) The tract of land referred to in subsection (a) consists of those parts of the Giles McNulty Indian Reservation and of the Thomas Wilson Indian Reservation, which lie in township 3 south, range 2 east, Huntsville meridian, Alabama, and which are more particularly described as follows: Beginning at a point on the north boundary of the Thomas Wilson Reservation, said point being north 83 degrees 30 minutes west 19.10 chains from the northeast corner of said reservation; thence south 6 degrees 15 minutes west 41.30 chains to a point on the east and west division line of said reservation, said point being 19.30 chains westwardly from the center of the east boundary of said reservation; thence north 83 degrees 30 minutes west 34.70 chains to a point in the center of Hurricane Road: thence along the center line of said road south 3 degrees 45 minutes west 9.20 chains; thence north 82 degrees 30 minutes west 5.80 chains; thence north 6 degrees 30 minutes east 9.15 chains to a stake on the division line of said reservation in the old Bell Factory Road; thence along the center of said road south 83 degrees 30 minutes east 5.80 chains to a point in the center of Hurricane Road; thence along the centerline of said road, as it meanders, as follows: north 3 degrees 45 minutes east 13.98 chains; south 86 degrees 50 minutes east 4.48 chains; north 28 degrees 30 minutes east 1.65 chains; north 5 degrees 45 minutes east 21.50 chains; north 34 degrees 45 minutes east 1.83 chains; north 62 degrees 45 minutes east 3.93 chains to the intersection of the center of said road with the north boundary of the Thomas Wilson Indian Reservation and the south boundary of the Giles McNulty Indian Reservation; thence along the boundary of said Indian Reservations north 83 degrees 30 minutes west 57.82 chains to the southwest corner of the Giles McNulty Indian Reservation; thence along the west boundary of said reservation north 7 degrees 30 minutes east 41.00 chains to the

center of the west boundary of said Giles McNulty Indian Reservation; thence along the centerline of said reservation south 83 degrees 30 minutes east 46.70 chains to the east bank of Hurricane Creek; thence down said creek, as it meanders, as follows: south 18 degrees east 4.50 chains; south 40 degrees 30 minutes east 7.12 chains; south 28 degrees east 6.10 chains; south 21 degrees east 2.38 chains; south 52 degrees east 7.40 chains; south 40 degrees 30 minutes east 1.92 chains; south 55 degrees east 2.35 chains; south 28 degrees east 3.65 chains; south 51 degrees east 4.66 chains; south 23 degrees east 2.76 chains; south 38 degrees east 3.19 chains; south 21 degrees east 4.23 chains; south 5 degrees east 4.00 chains to the intersection of said creek with the south ⊥boundary of the Giles McNulty Indian Reservation and the north boundary of the Thomas Wilson Indian Reservation; thence south 83 degrees 30 minutes east 0.12 chains to the point of beginning, and containing 389.99 acres, more or less, situate and being in Madison County, Alabama. ⊥1913

Approved, August 1, 1956.

PUBLIC LAW 912 CHAPTER 872

JOINT RESOLUTION

August 2, 1956
[S. J. Res. 71]
70 Stat. 930

To commend the foundation known as the Memorial to the American Indian Foundation for its project to establish a permanent memorial in honor of the North American Indians.

Whereas it is fitting that there should be a permanent memorial in honor of the North American Indians, the original Americans;

Whereas there has been chartered by the State of Michigan a nonprofit corporation known as the Memorial to the American Indian Foundation for the purpose of establishing such a memorial, which will be located in the State of New Mexico; and

Whereas the establishment of such a memorial would acknowledge the contribution made to our Nation by the North American Indians: Therefore be it

Memorial to the American Indian Foundation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby commends the Memorial to the American Indian Foundation for its noteworthy project to establish a permanent memorial in honor of the North American Indians, and extends to such Foundation its best wishes in carrying out such project.

Commendation

Approved, August 2, 1956.

PUBLIC LAW 920 CHAPTER 880

AN ACT

August 2, 1956
[S. 3779]
70 Stat. 936

To amend the Act of August 27, 1954 (68 Stat. 868), with respect to the Uintah and Ouray Reservation in Utah.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act of August 27, 1954 (68 Stat. 868), is amended by adding at the end thereof the following sentence: "New membership in the tribe shall thereafter be controlled and determined by the constitution and bylaws of the tribe and ordinances enacted thereunder."

Indians.
Uintah and Ouray Tribes.

SEC. 2. Section 8 of said Act of August 27, 1954, is amended by changing the period at the end thereof to a comma and by adding the following: "but this Act shall not be construed as granting any inheritable interest in tribal assets to full-blood members of the tribe or as preventing future membership in the tribe, after the date of enactment of this Act, in the manner provided in the constitution and bylaws of the tribe."

68 Stat. 869.

SEC. 3. Section 17 of said Act of August 27, 1954, is amended as follows: After "except that" delete the word "any" and insert in lieu

68 Stat. 876

thereof: "any corporation organized by the mixed-blood members for the purpose of aiding in the joint management with the tribe and in the distribution of unadjudicated or unliquidated claims against the United States, all gas, oil, and mineral rights of every kind, and all other assets not susceptible to equitable and practicable distribution shall not be subject to corporate income taxes. Any".

Approved, August 2, 1956.

PUBLIC LAW 921 CHAPTER 881

August 2, 1956
[S. 3968]
70 Stat. 937

AN ACT

To provide for the termination of Federal supervision over the property of the Peoria Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes.

Indians, Peoria Tribe.
Federal supervision terminated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to provide for the termination of Federal supervision over the affairs of the Peoria Tribe of Indians located in northeastern Oklahoma and the individual members thereof, and for a termination of Federal services furnished to such Indians because of their status as Indians.

Restrictions removed on sale of land.

SEC. 2. All restrictions on the sale or encumbrance of trust or restricted land owned by members of the Peoria Tribe of Indians of Oklahoma (including allottees, heirs, and devisees, either adult or minor), regardless of where the land is located, are hereby removed three years after the date of this Act, and the patents or deeds under which titles are then held shall pass the titles in fee simple subject to any valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance three years or more after the date of this Act shall vest in such members in fee simple, subject to any valid encumbrance.

SEC. 3. (a) The Federal trust relationship to the affairs of the Peoria Tribe and its members shall terminate three years after the date of this Act, and thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians (including the Act of June 26, 1936 (49 Stat. 1967), and the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378)) shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

25 U. S. C. 501.
25 U. S. C. 462.
25 U. S. C. 478a.

(b) Nothing in this Act shall affect the status of the members of the tribe as citizens of the United States.

Training program.

(c) Prior to the termination of the Federal trust relationship in accordance with the provisions of this section, the Secretary of the Interior is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

Corporate charter revoked.

SEC. 4. (a) Effective when all claims of the tribe that are now

pending before the Indian Claims Commission or the Court of Claims have been finally adjudicated, the corporate charter issued pursuant to the Act of June 26, 1936 (49 Stat. 1967), as amended, is hereby revoked.

⊥(b) Effective when all claims of the tribe that are now pending before the Indian Claims Commission or the Court of Claims have been finally adjudicated, all powers of the Secretary of the Interior or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this Act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this Act without the participation of the Secretary or other officer of the United States.

⊥938
Powers of Secretary terminated.

SEC 5. Nothing in this Act shall affect any claims heretofore filed against the United States by the Peoria Tribe.

Roll of members

SEC. 6. The Peoria Tribe shall have a period of six months from the date of this Act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this Act, which shall be published in the Federal Register. The proposed roll shall be prepared in accordance with eligibility requirements prescribed in the tribe's constitution and bylaws. If the tribe fails to submit such roll within the time specified in this section, the Secretary of the Interior shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or any interest in its assets, or a representative of the Secretary on behalf of any such person, may, within sixty days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purpose of this Act.

Publication in FR.

Approved, August 2, 1956.

PUBLIC LAW 926 CHAPTER 886

AN ACT

August 2, 1956
[H. R. 5712]
70 Stat. 941

To provide that the United States hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo Grant and a small area of public domain adjacent thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title to the following land and the improvements thereon owned by the United States of America, situated within Sandoval County in the State of New Mexico, is hereby declared to be in the United States of America in trust for the Pueblo of Zia, subject to valid existing rights: Beginning at the southeast corner of the Ojo del Espiritu Santo Grant as described on the plat of said grant approved by Clarence Pullin, surveyor general of New Mexico, Santa Fe, New Mexico, June 29, 1885, said corner being in section 8, township 15 north, range 1 east, New Mexico principal meridian; thence west along the south boundary of said grant approximately 5 miles, 42 chains; thence north approximately 1 mile, 20 chains; thence west 40 chains; thence north 3 miles; thence east 40 chains; thence north 7 miles to the northeast corner of unsurveyed section 17, township 17 north, range 1 west, New Mexico principal meridian; thence east approximately 5 miles, 68 chains to the east boundary of the Ojo del Espiritu Santo Grant as described on the plat of township 17 north, range 1 east, New Mexico principal merid-

Pueblo of Zia Trust title.

ian, approved in the Department of the Interior, General Land Office, Washington, District of Columbia, August 18, 1930, which point is common to the west boundary of the Canon de San Diego Grant as described on the plat approved August 18, 1930; thence south approximately 5.25 chains along the common boundary of said two grants;
1942 thence continuing south along the west boundary of the Canon ⊥de San Diego Grant approximately 3 miles, 74.75 chains to a point which is north 18.61 chains from the southwest corner of the Canon de San Diego Grant; thence west 37.01 chains to the east boundary of the Ojo del Espiritu Santo Grant as described on the plat of said grant approved by Clarence Pullin, surveyor general of New Mexico, Santa Fe, New Mexico, June 29, 1885; thence south along the east boundary of said grant a distance of approximately 7 miles, 20.38 chains to the point of beginning, containing approximately 41,856 acres, excepting therefrom approximately 640 acres of land and the improvements thereon used by the United States of America for administrative purposes, which exception, when surveyed, will probably be described as west half section 15 and east half section 16, township 17 north, range 1 west, New Mexico principal meridian.

Pueblo of Jemez. Trust title.

SEC. 2. That title to the following-described land and the improvements thereon owned by the United States of America, situated within Sandoval County in the State of New Mexico is hereby declared to be in the United States of America in trust for the Pueblo of Jemez, subject to valid existing rights: Beginning at the northwest corner of the Ojo del Espiritu Santo Grant as described on the plat of said grant approved by Clarence Pullin, surveyor general of New Mexico, Santa Fe, New Mexico, June 29, 1885, said point being in section 6, township 18 north, range 1 west, New Mexico principal meridian; thence east along the north boundary of said grant approximately 6 miles, 9.49 chains to the east line of section 6, township 18 north, range 1 east, New Mexico principal meridian, which point is 7.51 chains west of the northeast corner of said grant as described on the plat of township 18 north, range 1 east, of the New Mexico principal meridian by the Department of the Interior, General Land Office, Washington, D.C., August 18, 1930; thence north 39.70 chains; thence east 44.13 chains to the west boundary of the Canon de San Diego Grant as described on the plat approved August 18, 1930; thence south along the west boundary of said grant approximately 7 miles, 76.02 chains; thence west approximately 7 miles, 68 chains to the northeast corner of unsurveyed section 13, township 17 north, range 2 west, New Mexico principal meridian; thence north 1 mile; thence west approximately 40 chains to the west boundary of the Ojo del Espiritu Santo Grant as described on the official survey plat of said grant; thence following the west boundary of said grant a distance of approximately 6 miles to the point of beginning (the northwest corner of said grant), containing approximately 36,515.76 acres, excepting therefrom lots 2, 5, south half southwest quarter of section 5 and lot 9 of section 6, township 18 north, range 1 east, New Mexico principal meridian, containing 163.76 acres, more or less, as shown on the plat of township 18 north, range 1 east, New Mexico principal meridian, approved in the Department of the Interior, General Land Office, August 18, 1930.

Livestock grazing.

SEC. 3. In the administration of the lands to be held in trust by the United States pursuant to this Act, together with any remaining lands comprising the Ojo del Espiritu Santo Grant, the Secretary of Agriculture, or any officer or agency of the United States hereafter administering such lands, shall make the livestock grazing capacity of the lands held in trust under sections 1 and 2 hereof available to the Zia and Jemez Indians to the extent of four hundred cattle units yearlong, and the remaining lands available to the non-Indians in-
3 CFR 1941 supp. 181 cluded in the provisions of the Executive Order (Number 8697) signed by the President on February 28, 1941.

Approved, August 2, 1956.

PUBLIC LAW 931 CHAPTER 891

AN ACT

August 2, 1956
[H. R. 11696]
70 Stat. 954

To authorize the conveyance of homestead allotments to Indians, Aleuts, or Eskimos in Alaska.

Alaska.
Homestead allotments to Indians or Eskimos.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 17, 1906 (34 Stat. 197; 48 U.S.C. 357), is hereby amended—

(a) by inserting after the word "Indian" in the first sentence thereof the following ", Aleut";

(b) by inserting before the word "nonmineral" in the first sentence thereof the following: "vacant, unappropriated, and unreserved";

(c) by inserting after the word "Alaska" the first time it appears in the first sentence thereof the following: ", or, subject to the provisions of the Act of March 8, 1922 (42 Stat. 415, 48 U. S. C. 376–377), vacant, unappropriated, and unreserved land in Alaska that may be valuable for coal, oil, or gas deposits,";

Conveyance of title

(d) by striking the period after the first sentence thereof and adding the following: ": *Provided,* That any Indian, Aleut, or Eskimo who receives an allotment under this Act, or his heirs, is authorized to convey by deed, with the approval of the Secretary of the Interior, the title to the land so allotted, and such conveyance shall vest in the purchaser a complete title to the land which shall be subject to restrictions against alienation and taxation only if the purchaser is an Indian, Aleut, or Eskimo native of Alaska who the Secretary determines is unable to manage the land without the protection of the United States and the conveyance provides for a continuance of such restrictions."; and

(e) by adding two new sections as follows:

Allotments in national forests.

"SEC. 2. Allotments in national forests may be made under this Act if founded on occupancy of the land prior to the establishment of the particular forest or if the Secretary of Agriculture certifies that the land in an application for an allotment is chiefly valuable for agricultural or grazing purposes.

Proof of occupancy.

"SEC. 3. No allotment shall be made to any person under this Act until said person has made proof satisfactory to the Secretary of the Interior of substantially continuous use and occupancy of the land for a period of five years."

Approved, August 2, 1956.

PUBLIC LAW 943 CHAPTER 909

AN ACT

August 3, 1956
[S. 3969]
70 Stat. 963

To provide for the termination of Federal supervision over the property of the Ottawa Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes.

Indians.
Ottawa Tribe, Okla.
Federal supervision terminated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to provide for the termination of Federal supervision over the trust and restricted property of the Ottawa Tribe of Indians located in northeastern Oklahoma and the individual members thereof, and for a termination of Federal services furnished to such Indians because of their status as Indians.

Personal property and funds

SEC. 2. (a) The Secretary of the Interior is authorized and directed to transfer within three years after the date of this Act to each member of the Ottawa Tribe unrestricted title to funds or other personal property held in trust for such member by the United States.

(b) All restrictions on the sale or encumbrance by the owners of trust or restricted lands that were originally allotted to persons who were at

the time of allotment members of the Ottawa Tribe, regardless of whether such owners are themselves members of such tribe, and all restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor), regardless of where the land is located, are hereby removed three years after the date of this Act, and the patents or deed under which title are then held shall pass the titles in fee simple, subject to any valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance three years or more after the date of this Act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of the tribe, the Secretary may:

(1) Upon request of any of the owners made within two years after the date of this Act, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted three years from the date of this Act;

(2) Upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof, and distribute the proceeds of sale to the owners: *Provided*, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

Probate of estates
25 U.S.C. 151
25 U.S.C. 373

(3) If the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

SEC. 3. (a) The Act of June 25, 1910 (36 Stat. 855), the Act of February 14, 1913 (37 Stat. 678), and other Acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of the Ottawa Tribe who die six months or more after the date of this Act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribe who die six months or more after the date of this Act.

1964
Guardians appointed

⊥SEC. 4. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this Act, the Secretary of the Interior shall protect the rights of members of the tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

Tribal funds

SEC. 5. Pending the completion of the property dispositions provided for in this Act, the funds now on deposit or hereafter deposited in the Treasury of the United States to the credit of the Ottawa Tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary of the Interior.

Execution of deeds, etc.

SEC. 6. The Secretary of the Interior shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this Act, or to establish a marketable and recordable title to any property disposed of pursuant to this Act.

Prior leases, etc.

SEC. 7. Nothing in this Act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary of the Interior any powers, duties, or other functions with respect to

the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency, or to a State agency with the consent of such agency and the other party or parties to such instrument.

Status of Indians.

SEC. 8. (a) The Federal trust relationship to the affairs of the Ottawa Tribe and its members shall terminate three years after the date of this Act, and thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians. All statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this Act shall affect the status of the members of the Ottawa Tribe as citizens of the United States.

Educational program

(c) Prior to the termination of the Federal trust relationship in accordance with the provisions of this section, the Secretary of the Interior is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall pre-[clude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

1965

Corporate charter terminated.
25 U. S. C. 501

SEC. 9. (a) Effective three years after the date of this Act, the corporate charter issued pursuant to the Act of June 26, 1936 (49 Stat. 1967), as amended, to the Ottawa Tribe of Oklahoma and ratified by the tribe on November 30, 1938, is hereby revoked.

(b) Effective three years after the date of this Act, all powers of the Secretary of the Interior or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the Ottawa Tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this Act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this Act without the participation of the Secretary or other officer of the United States.

SEC. 10. Nothing in this Act shall affect any claims heretofore filed against the United States by the Ottawa Tribe.

SEC. 11. Nothing in this Act shall abrogate any water rights of the Ottawa Tribe or its members.

Regulations.

SEC. 12. The Secretary of the Interior is authorized to issue rules and regulations necessary to effectuate the purposes of this Act and may in his discretion provide for tribal referendums on matters pertaining to management or disposition of tribal assets.

SEC. 13. All Acts or parts of Acts inconsistent with this Act are hereby repealed insofar as they affect the Ottawa Tribe or its members. The Act of June 26, 1936 (49 Stat. 1967), and the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378), shall not apply to the tribe and its members three years after the date of this Act.

25 U. S. C. 461

SEC. 14. If any provision of this Act, or the application thereof, to

any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Roll of members. Publication in FR.

SEC. 15. (a) The tribe shall have a period of six months from the date of this Act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this Act, which shall be published in the Federal Register. The proposed roll shall be prepared in accordance with eligibility requirements prescribed in the tribe's constitution and bylaws. If the tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or any interest in its assets, or a representative of the Secretary on behalf of any such person, may, within sixty days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this Act.

1966 Taxes.

⊥(b) No property distributed under the provisions of this Act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this Act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

Approved, August 3, 1956.

August 3, 1956
[S. 3787]

70 Stat. 982

PUBLIC LAW 956 CHAPTER 927

AN ACT

Relating to the management of the Red Lake Indian Forest and sawmill.

Red Lake Indian Forest

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the seventeenth paragraph of section 9 of the Act of May 18, 1916 (39 Stat. 123, 137) is hereby amended to read as follows:

"The Red Lake Indian Forest shall be administered by the Secretary of the Interior in accordance with principles of scientific forestry that will encourage the production of successive timber crops for the benefit of the Indians of the Red Lake Band, and he is hereby authorized (a) to harvest, sell, and manufacture such marketable timber from any tribal lands within the Red Lake Indian Reservation as he may deem to be advisable and, if the timber is the growth of Red Lake Indian Forest, in keeping with the foregoing principles, (b) to establish nurseries and otherwise provide for the reforestation of said lands, (c) to construct and operate sawmills and other facilities for the manufacture into marketable products of the timber harvested from said lands, (d) to purchase, harvest, and manufacture such additional timber standing on or severed from any other lands, including lands outside the reservation, as in his opinion may contribute to the profitable operation of such sawmills and other facilities as a tribal enterprise, subject to such limitations on expenditures as may be prescribed in annual appropriations acts, and (e) to employ, with the consent of the tribal council, such persons and use such means as he may find necessary to carry out the purposes of the foregoing provisions. Any proceeds derived from sales of timber or timber products under this paragraph may be expended in payment of the

expenses of any of the activities authorized by this paragraph, including construction expenses."

SEC. 2. The fourth paragraph of section 8 of the Act of June 30, 1919 (41 Stat. 3, 14) is hereby amended by striking out the proviso.

Approved, August 3, 1956.

PUBLIC LAW 959 CHAPTER 930

August 3, 1956
[S. 3416]
70 Stat. 986

AN ACT

Relative to employment for certain adult Indians on or near Indian reservations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to help adult Indians who reside on or near Indian reservations to obtain reasonable and satisfactory employment, the Secretary of the Interior is authorized to undertake a program of vocational training that provides for vocational counseling or guidance, institutional training in any recognized vocation or trade, apprenticeship, and on the job training, for periods that do not exceed twenty-four months, transportation to the place of training, and subsistence during the course of training. The program shall be available primarily to Indians who are not less than eighteen and not more than thirty-five years of age and who reside on or near an Indian reservation, and the program shall be conducted under such rules and regulations as the Secretary may prescribe. For the purposes of this program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, or with any private school which has a recognized reputation in the field of vocational education and has successfully obtained employment for its graduates in their respective fields of training, or with any corporation or association which has an existing apprenticeship or on-the-job training program which is recognized by industry and labor as leading to skilled employment.

Indians.
Vocational training.

SEC. 2. There is authorized to be appropriated for the purposes of this Act the sum of $3,500,000 for each fiscal year, and not to exceed $500,000 of such sum shall be available for administrative purposes.

Appropriation.

Approved, August 3, 1956.

PUBLIC LAW 960 CHAPTER 931

August 3, 1956
[S. 3467]
70 Stat. 987

AN ACT

To authorize the conveyance of tribal lands from the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Reservation in Wyoming to the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Reservation are authorized to convey to the United States the tribes' interests in the 388.23 acres of land that are described in section 2 of the Act, subject to a reservation to the tribes of all minerals, including oil and gas, and mineral rights, which may be exercised only in a manner that does not interfere with the construction and operation of the dam site and reservoir of Anchor Dam, a part of the Owl Creek unit, Missouri River Basin project in Hot Springs County, near Thermopolis, Wyoming. The conveyance shall be for a price that is mutually agreeable to the tribes and to the Secretary of the Interior as representing fair and just compensation for the land taken. If the tribes and the Secretary fail to agree on a price to be paid for said land, the Secretary shall report that fact to the President of the Senate and to the Speaker of the House of Representatives on the first day of the Eighty-fifth Congress, and the Secretary is authorized, effective thirty days after said report is filed, to proceed to acquire such land by eminent domain. The consideration payable to the tribes

Indians.
Lands conveyed to U.S.

pursuant to this Act shall be paid out of funds appropriated for the Missouri River Basin project and shall be deposited in the Treasury of the United States to the credit and for the use of the respective tribes in accordance with the provisions of the Act of May 19, 1947 (61 Stat. 102), as amended by the Act of August 30, 1951 (65 Stat. 208).

SEC. 2. The lands that are referred to in section 1 of this Act are: Lots 1 and 2, section 13, northwest quarter, north half southwest quarter, west half, northeast quarter, and northwest quarter southeast quarter, section 24, township 8 north, range 1 west, Wind River meridian, Wyoming, containing 388.23 acres.

SEC. 3. In the event of the failure or abandonment of the Anchor Dam feature of the Owl Creek unit the interest in the land acquired pursuant to this Act shall be reconveyed by the Secretary of the Interior to the tribes and the title shall be held in the same manner it was held before such acquisition: *Provided*, That the purchase price paid by the United States shall be returned by the tribes.

SEC. 4. The portion of the construction costs of the Owl Creek unit that is allocable to the irrigable lands of the Shoshone and Arapahoe Tribes of the Wind River Reservation shall be a lien against such lands, but the assessment and collection of such costs shall be deferred in accordance with the provisions of the Act of July 1, 1932 (47 Stat. 564). The irrigable lands of the tribes shall be entitled to their pro rata share of the water storage and regulation benefits accruing from the construction and operation of the Owl Creek unit upon payment by the tribes, under appropriate contract, of their pro rata share of the annual operation and maintenance costs of the Owl Creek unit.

SEC. 5. The members of the Shoshone and Arapahoe Tribes shall have the right to fish on the lake created by Anchor Dam, without a State license, but the Indians shall be subject to all other provisions of applicable conservation laws and regulations.

Approved, August 3, 1956.

August 6, 1956
[S. 2093]

70 Stat. 1051

PUBLIC LAW 987 CHAPTER 975

AN ACT

To provide compensation for certain property losses in certain reservoir projects and for the replacement of school facilities of the Pollock Independent School District, Pollock, South Dakota, acquired by the United States for the Oahe Dam and Reservoir.

Gavins Point, etc., projects on Missouri River.
Payment for improvements.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to pay to any bona fide lessee or permittee owning improvements situated on a railroad right-of-way or on Indian tribal land the fair value, as determined by the Secretary, or by a court of competent jurisdiction, of any such improvements which will be rendered inoperative or be otherwise adversely affected by the construction of the Gavins Point, Fort Randall, and Oahe Dams and Reservoir projects on the Missouri River.

Pollock, S. Dak.
Payment for school facilities.

SEC. 2. The Secretary of the Army is authorized and directed to pay to the Pollock Independent School District Numbered 3, Pollock, South Dakota, an amount equal to the difference between the sum paid for the taking of school facilities of said school district in the condemnation proceeding entitled "United States of America, plaintiff, against 10.00 Acres of Land, and so forth, defendants", civil numbered 682ND, filed in the United States District Court for the District of South Dakota, Northern Division, on May 7, 1956, and the actual cost of replacing the school facilities so acquired as the Secretary shall find to be reasonable: *Provided, however*, That in no event shall the additional amount paid pursuant to this authorization exceed $200,000.

SEC. 3. The Secretary of the Army is authorized to provide the funds necessary to carry out the provisions of this Act from any moneys

appropriated for the construction of the Oahe, Gavins Point, and Fort Randall Dams and Reservoir projects: *Provided, however,* That in no event shall the amount so expended exceed $550,000.

Approved, August 6, 1956.

PUBLIC LAW 991 CHAPTER 979

AN ACT

August 6, 1956
[S. 3927]
70 Stat. 1057

To authorize the Secretary of the Interior to convey to Indian tribes certain federally owned buildings, improvements, or facilities on tribal lands or on lands reserved for Indian administration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior at the request of any Indian tribe, band, or group is authorized to convey to such Indian tribe, band, or group, by such means as he may deem appropriate, title to any federally owned buildings, improvements, or facilities (including any personal property used in connection with such buildings, improvements, or facilities) that are situated on lands of such tribe, band, or group or on lands reserved for the administration of its affairs, and that are no longer required by the Secretary for the administration of Indian affairs. Any tribe, band, or group to which property is conveyed pursuant to this Act may dispose of such property whenever its governing body determines that the property is no longer needed for its use. If, at any time while property conveyed pursuant to this Act remains in the ownership of any Indian tribe, band, or group, the Secretary of the Interior determines that such property is not being adequately maintained or properly utilized by such tribe, band, or group or that the property creates a health or safety hazard or other undesirable condition, he may declare a forfeiture of the conveyance and the title to such property shall thereupon revert to the United States. Such determination by the Secretary shall be final.

Indians
Building improvements conveyed to tribe.

SEC. 2. For the purpose of this Act, the term "Indian" shall include Eskimos and Aleuts.

"Indians"

Approved, August 6, 1956.

PRIVATE LAWS OF THE EIGHTY-FOURTH CONGRESS, SECOND SESSION, 1956

PRIVATE LAW 500 CHAPTER 20

January 28, 1956
[S. 1745]
70 Stat. A6

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Nellie Ohlerking Archambeau Moran.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Nellie Ohlerking Archambeau Moran a patent in fee to the following described lands allotted to her on the Fort Belknap Indian Reservation, Montana: Northeast quarter northwest quarter section 20, township 26 north, range 26 east; west half southeast quarter northeast quarter, southwest quarter northeast quarter, south half north half northeast quarter, south half north half north half northeast quarter, east half southeast quarter northeast quarter section 14, township 26 north, range 25 east, principal meridian, Montana, containing 180 acres.

Nellie O. A. Moran

SEC. 2. Said patent in fee when issued shall contain a reservation to the Fort Belknap Indian Community, in accordance with minerals, including coal, oil, and gas.

SEC. 3. Pursuant to the provisions of the Act of March 3, 1921 (41 Stat. 1355, 1357), and the Act of March 7, 1928 (45 Stat. 200–210), as supplemented by the Act of July 1, 1932 (47 Stat. 564, 565), said patent in fee when issued shall contain a provision that any of the above-

25 U. S. C. 386a.

described lands which may be situated within a Federal irrigation project are subject to a lien, prior and superior to all other liens for the amount of costs and charges due to the United States for and on account of construction, operation, and maintenance of the irrigation system or acquisition of water rights by which said lands have been or are to be reclaimed.

Approved, January 28, 1956.

March 29, 1956
[H. R. 8607]
70 Stat. A30

PRIVATE LAW 574 CHAPTER 153

AN ACT

To authorize and direct the Secretary of the Interior to convey to David Peters, or to his heirs or assigns, title to land held by the United States in trust for him

David Peters Conveyance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to David Peters, an Indian of the Hoopa Valley Reservation, or to his heirs or assigns, title to eighteen and two-thirds acres of land in California which is held by the United States in trust for him and which is described as follows:

The northeast quarter of the southwest quarter of the southeast quarter, section 15, 10 acres; that part of the southeast quarter of the southwest quarter of the southeast quarter of section 15 lying east of the center of the south fork of the Trinity River, approximately 7 acres; that portion of the northwest quarter of the southwest quarter of the southeast quarter of section 15, described as follows: Beginning at the northwest quarter corner of the northeast quarter of the southwest quarter of the southeast quarter of section 15, thence due west 120 feet, thence due south 660 feet, thence due east 120 feet, thence due north 660 feet to the point of beginning, approximately 1 2/3 acres.

Approved, March 29, 1956.

June 4, 1956
[H. R. 6990]
70 Stat. A82

PRIVATE LAW 685 CHAPTER 373

AN ACT

To provide for the conveyance of certain lands by the United States of the Board of National Missions of the Presbyterian Church in the United States of America.

Presbyterian Board of National Missions, U.S.A.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the Board of National Missions of the Presbyterian Church in the United States, all of the right, title, and interest of the United States and the Makah Indian Tribe in and to the land designated as follows: Lot 5, block 20, of the Indian Village of Neah Bay, Washington.

Approved, June 4, 1956.

July 24, 1956
[H. R. 8005]
70 Stat. A142

PRIVATE LAW 801 CHAPTER 706

AN ACT

To provide for the conveyance to the Mathew American Horse American Legion Post Numbered 259, Cannon Ball, North Dakota, of certain lands upon the Standing Rock Reservation, North Dakota, for use as a site for the erection of a memorial monument in honor of members of the Armed Forces killed in battle.

Standing Rock Reservation, N. Dak. Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey to the Mathew American Horse American Legion Post Numbered 259, Cannon Ball, North Dakota, for use as a site to erect a memorial monument, all the right, title, and interest of the United States and the Standing Rock Sioux Tribe of Indians to the parcel of land within the Standing Rock Reservation, North Dakota, described as the east half of the southeast

quarter of the southwest quarter of the northwest quarter of the southwest quarter of section 26, township 134 north, range 79 west, fifth principal meridian, consisting of one and one-quarter acres more or less, subject to a reservation of all rights, to oil, gas, and other mineral deposits in such described land and the right to develop such mineral deposits in any manner that will not interfere with the use of the land as a memorial monument site, and subject to the condition that in the event the Secretary of the Interior determines that the land has ceased to be used as a memorial monument site the title to the land shall revert to the United States to be held in the same manner it was held prior to such conveyance.

Approved, July 24, 1956.

CONCURRENT RESOLUTION OF THE EIGHTY-FOURTH CONGRESS, SECOND SESSION, 1956

May 24, 1956
[S. Con. Res. 80]
70 Stat. B32

LUMBEE INDIANS OF NORTH CAROLINA

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker pro tempore of the House of Representatives and of the President of the Senate in signing the enrolled bill (H. R. 4656) relating to the Lumbee Indians of North Carolina be, and it is hereby, rescinded, and that the engrossed bill be returned to the Senate.

Ante, p. 254.

Agreed to May 24, 1956.

PUBLIC LAWS OF THE EIGHTY-FIFTH CONGRESS, FIRST SESSION, 1957

PUBLIC LAW 85–15

April 16, 1957
[H. R. 6870]
71 Stat. 11

AN ACT

Making appropriations for the fiscal year ending June 30, 1957, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply appropriations (this Act may be cited as the "Second Urgent Deficiency Appropriation Act, 1957") for the fiscal year ending June 30, 1957, and for other purposes, namely:

Second Urgent Deficiency Appropriation Act, 1957.

* * *

⊥CHAPTER VII—LEGISLATIVE BRANCH

⊥113

SENATE

* * *

⊥CONTINGENT EXPENSES OF THE SENATE

⊥114

* * *

Joint Committee on Navajo-Hopi Indian Administration: For salaries and expenses of the Joint Committee on Navajo-Hopi Indian Administration, $5,000, to remain available during the existence of the committee.

* * *

Approved, April 16, 1957.

PUBLIC LAW 85–31

May 16, 1957
[S. 998]
71 Stat. 29

AN ACT

To amend the Act of June 4, 1953 (67 Stat. 41), and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 4, 1953 (67 Stat. 41) is amended by adding at the end thereof the following sentence: "If the grantee of such land fails for a period of one

Indians.
Conveyance of school lands.

year to observe the provisions of the transfer agreement and the Secretary of the Interior fails to declare a forfeiture of the conveyance, the former beneficial owner, if an individual Indian or an Indian tribe, may petition the United States District Court for the district where the land is located to declare a forfeiture of the conveyance and to vest the title in the United States, in the same trust status as previously existed."

Approved, May 16, 1957.

May 17, 1957
[H. R. 676]
71 Stat. 31

PUBLIC LAW 85–34

AN ACT

To authorize the city of Rock Hill, South Carolina, to acquire certain tribal lands on the Catawba Indian Reservation, South Carolina.

Rock Hill, S. C.
Acquisition of certain Indian lands

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Catawba Indian Tribe of South Carolina is authorized to sell to the city of Rock Hill, South Carolina, a tract of approximately forty-nine acres of land in the Catawba Indian Reservation for a consideration mutually agreeable to the parties and to the Secretary of the Interior. The Secretary of the Interior is authorized to execute such conveyancing instrument as may be appropriate for that purpose. If a negotiated sale cannot be effected prior to July 1, 1958, the city is authorized to acquire the land by eminent domain proceedings in accordance with the laws of South Carolina in an action against the United States filed in the United States District Court for the Western District of South Carolina. The payment or distribution of the proceeds from any sale or condemnation pursuant to this Act shall not be subject to any lien, except for debts owed to the United States or to Indian organizations indebted to the United States, and shall not be taxable.

SEC. 2. The Secretary of the Interior is authorized, but only after securing the consent of the Catawba Indian Tribe thereto, to grant to the city of Rock Hill an immediate right of entry on such land pending the completion of a sale or condemnation action.

Approved, May 17, 1957.

June 17, 1957
[H. R. 53]
71 Stat. 83

PUBLIC LAW 85–56

AN ACT

To consolidate into one Act, and to simplify and make more uniform, the laws administered by the Veterans' Administration relating to compensation, pension, hospitalization, and burial benefits, and to consolidate into one Act the laws pertaining to the administration of the laws administered by the Veterans' Administration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into titles and sections according to the following Table of Contents, may be cited as the "Veterans' Benefits Act of 1957".

* * *

188

⊥TITLE I—GENERAL

DEFINITIONS

SEC. 101. For the purposes of this Act—

* * *

189

⊥(10) The term "Indian Wars" means the campaigns, engagements, and expeditions of the United States military forces against Indian tribes or nations, service in which has been recognized heretofore as pensionable service.

* * *

⊥TITLE IV—PENSION FOR NON-SERVICE-CONNECTED DISABILITY OR DEATH, OR FOR SERVICE ⊥103

* * *

⊥PART B—VETERANS' PENSIONS ⊥105

SUBPART I—SERVICE PENSION

INDIAN WAR VETERANS

SEC. 411. (a) The Administrator shall pay to each veteran of the Indian Wars who meets the service requirements of this section a pension at the following monthly rate:

(1) $101.59; or

(2) $135.45 if the veteran is in need of regular aid and attendance.

(b) A veteran meets the service requirements of this section if he served in one of the Indian Wars—

(1) for thirty days or more; or

(2) for the duration of such Indian War;

in any military organization, whether or not such service was the result of regular muster into the service of the United States, if such service was under the authority or by the approval of the United States or any State or Territory.

* * *

⊥PART C—PENSIONS TO WIDOWS AND CHILDREN ⊥106

SUBPART I—WARS BEFORE WORLD WAR I

* * *

⊥WIDOWS OF INDIAN WAR VETERANS ⊥107

SEC. 434. (a) The Administrator shall pay to the widow of each Indian War veteran who met the service requirements of section 411 a pension at the following monthly rate: *Post*, p. 485.

(1) $40.64 if she is below seventy years of age; or

(2) $54.18 if she is seventy years of age or older;

unless she was the wife of the veteran during his service in one of the Indian Wars, in which case the monthly rate shall be $67.73.

(b) If there is a child of the veteran, the rate of pension paid to the widow under subsection (a) shall be increased by $8.13 per month for each such child.

(c) No pension shall be paid to a widow of a veteran under this section unless she was married to him—

(1) before March 4, 1917; or

(2) for ten or more years.

CHILDREN OF INDIAN WAR VETERANS

SEC. 435. Whenever there is no widow entitled to pension under section 434, the Administrator shall pay to the children of each Indian War veteran who met the service requirements of section 411 a pension at the monthly rate of $48.77 for one child, plus $8.13 for each additional child, with the total amount equally divided.

* * *

⊥REPEALS ⊥162

SEC. 2202. The following provisions of law are repealed:

* * *

⊥(199) The Act of January 19, 1948 (62 Stat. 4; 38 U. S. C., sec. 374a, 374a note). ⊥171

* * *

1172 ⊥(216) In the Act of May 23, 1952 (66 Stat. 90–91), the first section (38 U. S. C., sec. 471a–5); subsection (b) of section 2 (38 U. S. C., ch. 12 note); and sections 5 (38 U. S. C., secs. 277, 370); 6 (38 U. S. C., sec. 381–2); and 7 (38 U. S. C., sec. 277 note).

* * *

Approved, June 17, 1957.

June 29, 1957
[H. R. 6287]
71 Stat. 210

PUBLIC LAW 85–67

AN ACT

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes.

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1958

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, namely:

* * *

1214 ⊥TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

* * *

1217 ⊥PUBLIC HEALTH SERVICE

* * *

1219 ⊥Indian health activities: For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (42 U. S. C. 2001), including services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a) (including not to exceed $10,000 for such services at rates not to exceed $100 per diem for individuals, when authorized by the Surgeon General); purchase of not to exceed fifty passenger motor vehicles for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 321 and 509 of the Public Health Service Act; $40,100,000.

68 Stat. 674.
69 Stat. 810.

42 U. S. C. 248, 227.

Construction of Indian health facilities: For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; and purchase of trailers; $3,096,000, to remain available until June 30, 1959: *Provided,* That such expendi-⊥tures may be made through the Department of the Interior at the option of the Secretary of the Department of Health, Education, and Welfare.

1220

* * *

Approved, June 29, 1957.

June 29, 1957
[H. R. 7050]
71 Stat. 243

PUBLIC LAW 85–72

AN ACT

To amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oregon, because of the attendance of Indian children, and for other purposes.

Klamath County, Oreg.
25 U. S. C. 564 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 24 of the Act of August 13, 1954 (68 Stat. 718, 723), is amended by deleting "Effective on the first day of the fiscal year beginning after the date of

the proclamation provided for in section 18 of this Act" and by inserting in lieu thereof "Effective on July 1, 1957".

Approved, June 29, 1957.

PUBLIC LAW 85-77

July 1, 1957
[H. R. 5189]
71 Stat. 257

AN ACT

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes.

Department of the Interior and Related Agencies Appropriation Act, 1958.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

OFFICE OF THE SOLICITOR

For necessary expenses of the Office of the Solicitor, $2,900,000, and in addition, not to exceed $100,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided,* That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedure Act (60 Stat. 237), as amended: *Provided further,* That not to exceed $18,500 of the unobligated balance remaining on June 30, 1957, of the appropriation granted under this head in the Department of the Interior and Related Agencies Appropriation Act, 1957, shall remain available during the current fiscal year for printing the Handbook of Indian Federal law.

5 USC 1001 note.

70 Stat. 257.
25 USC 372-1.

* * *

⊥BUREAU OF INDIAN AFFAIRS

1259

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $59,460,000.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts as authorized by law; $17,200,000, and in addition, $524,000 of the Revolving Fund for Loans, Bureau of Indian Affairs, shall be used in connection with administering loans to Indians: *Provided,* That, notwithstanding the provisions of section 4 (a) of the Civil Service Retirement Act of July 31, 1956 (70 Stat. 747), not to exceed $80,000 of this appropriation shall be available for payment of the Federal matching contribution to the retirement fund for Federal employees paid from tribal funds.

5 USC 2254.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; to remain available until expended, $17,000,000: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South ⊥Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations.

Restrictions.

1260

ROAD CONSTRUCTION AND MAINTENANCE (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in section 6 of the Federal-Aid Highway Act of 1954 (68 Stat. 73) and section 106 of the Federal-Aid Highway Act of 1956 (70 Stat. 376), $12,000,000, to remain available until expended.

23 USC 155.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $3,450,000.

PAYMENT TO MENOMINEE TRIBE OF INDIANS

For reimbursement to the Menominee Tribe of Indians of necessary expenses involved in preparing for termination of Federal supervision, in accordance with the Act of July 14, 1956 (70 Stat. 544), $300,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed three hundred passenger motor vehicles for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), and legislation terminating Federal supervision over certain Indian tribes; purchase of ice for official use of employees; and expenses required by continuing or permanent treaty provisions.

49 USC 1458.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $2,920,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively

but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a recreational director for the Menominee Reservation and a curator for the Osage Museum, each of whom shall be appointed with the approval of the respective tribal councils and without regard to ⊥the classifications laws: *Provided,* That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided, however,* That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation.

18 USC 4124.

⊥261

Restriction.

* * *

⊥TITLE II—RELATED AGENCIES

⊥268

* * *

⊥INDIAN CLAIMS COMMISSION

⊥270

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $177,700, of which not to exceed $3,600 shall be available for expenses of travel.

60 Stat. 1049.

* * *

Approved, July 1, 1957.

PUBLIC LAW 85-86

July 10, 1957
[H. R. 3836]
71 Stat. 277

AN ACT

To repeal section 1157 of title 18 of the United States Code, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1157 of title 18 of the United States Code, as amended, is repealed.

67 Stat. 590.

Approved, July 10, 1957.

PUBLIC LAW 85-89

July 10, 1957
[H. R. 3837]
71 Stat. 282

AN ACT

To amend the Act of August 24, 1912, as amended, with reference to educational leave to employees of the Bureau of Indian Affairs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso of the Act of August 24, 1912 (37 Stat. 519, 25 U. S. C. 275), as amended by the Act of August 24, 1922 (42 Stat. 829, 25 U. S. C. 275), and by the Act of May 8, 1928 (45 Stat. 493, 25 U. S. C. 275), is hereby amended to read: "*Provided,* That hereafter teachers in schools operated by the Bureau of Indian Affairs may be allowed, in addition to annual leave, educational leave not to exceed thirty workdays per calendar year, or sixty workdays in every alternate year, for attend-⊥ance at educational gatherings, conventions, institutions, or training schools, if the interest of the Government requires, under such regulations as the Secretary of the Interior may prescribe; and no additional salary or expense on account of such leave of absence shall be incurred."

Indian Affairs.
Teachers educational leave.

⊥283

Approved, July 10, 1957.

July 10, 1957
[H. R. 6692]
71 Stat. 283

PUBLIC LAW 85–91

AN ACT

To authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes.

Coyote Valley Indian Rancheria
Transfer of land

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following described land which was acquired by the United States pursuant to the Acts of June 21, 1906 (34 Stat. 325, 333), and April 30, 1908 (35 Stat. 70, 76), for the use of landless Indians in California, together with the improvements thereon, is hereby transferred from the Secretary of the Interior to the Secretary of the Army for use in connection with the Coyote Valley Dam of the Russian River Basin project, California:

All that certain lot, piece or parcel of land, situate, lying and being in the County of Mendocino, State of California, and bounded and particularly described as follows, to wit: That portion of lot numbered 149 of the Yokayo Rancho, described as follows: Beginning at the northwest corner of lot 149 of the Yokayo Rancho, said point being in the center of channel of the East Fork of the Russian River; thence south along the west line of said lot 32.69/100 chains; thence east 28 chains; thence north and parallel with the west line of said lot 149 38.49/100 chains to the center of the county road leading from Ukiah to Lake County; thence south 56 degrees west 1.44/100 chains; thence south 86 degrees west 1.14/100 chains; thence north 83 degrees west 3.79/100 chains to a point in the center of said road; thence north, and leaving said road 2.12/100 chains to the center of the channel of the East Fort of Russian River; thence westerly through ⊥the center of the channel of said East Fork of Russian River to the point of beginning, lying in the northwest corner of said lot 149 of the Yokayo Rancho, containing approximately 100 acres. ⊥284

Appraised value

The appraised value of such land and improvements, which is hereby determined to be $54,000, shall be transferred from the appropriation available to the Corps of Engineers for the construction of the Coyote Valley Dam of the Russian River Basin project, California, to the Secretary of the Interior for distribution among the Indians who have assignments on the land. Such sum shall be distributed by paying to each assignee the appraised value of the land assigned to him and the appraised value of the improvements thereon. The remainder of the sum, representing the value of the unassigned portion of the land, shall be distributed equally among the assignees. The payment or distribution of the proceeds from any sale or condemnation pursuant to this Act shall not be subject to any lien, except for debts owed to the United States or to Indian organizations indebted to the United States, and shall not be taxable.

SEC. 2. All reimbursable indebtedness charged by the United States against the land described above or the improvements thereon is hereby canceled.

Approved, July 10, 1957.

August 14, 1957
[S. 469]
71 Stat. 347

PUBLIC LAW 85–132

AN ACT

To authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes.

Klamath Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Act entitled "An Act to provide for the termination of Federal supervision over the property of the Klamath Tribe of Indians located in the State of Oregon and the individual members thereof, and for other purposes", approved August 13, 1954 (68 Stat. 718), is amended by adding at the end thereof the following new section:

25 USC 564 note.

"SEC. 27. Notwithstanding any other provisions of this Act, no sales of tribal property shall be made pursuant to paragraph (3) of subsection (a) of section 5, or section 6 of this Act prior to the adjournment of the second session of the Eighty-fifth Congress." Property sales. 68 Stat. 718, 719. 25 USC 564d, 564e. 25 USC 564d.

(b) Subsection (b) of section 5 of such Act is amended to read as follows:

"(b) Such amounts of Klamath tribal funds as may be required for the purposes of this section shall be available for expenditure by the Secretary. In order to reimburse the tribe, in part, for expenditure of such tribal funds as the Secretary deems necessary for the purposes of carrying out the requirements of this section, there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, an amount equal to one-half of such expenditures from tribal funds, or the sum of $550,000, whichever is the lesser amount.". Availability of funds. Appropriation.

(c) Subsection (b) of section 6 of such Act is amended by striking out "four years" and inserting in lieu thereof "six years". 25 USC 564e. Completion date.

(d) Subsection 5 (a), paragraph (2), of the Act is amended to read as follows: 25 USC 564d.

"(2) immediately after the appraisal of the tribal property and approval of the appraisal by the Secretary, give to each member whose name appears on the final roll of the tribe an opportunity to elect to withdraw from the tribe and have his interest in tribal property converted into money and paid to him, or to remain in the tribe and participate in the tribal management plan to be prepared pursuant to paragraph (5) of this subsection; in the case of members who are minors, persons declared incompetent by judicial proceedings, or deceased, the opportunity to make such election on their behalf shall be given to the person designated by the Secretary as the person best able to represent the interests of such member: *Provided, however,* That any member, or any heir or any devisee of any deceased member, for whom the Secretary has so designated a representative may (on his own behalf, through his natural guardian, or next friend) within one hundred and twenty days after receipt of written notice of such secretarial designation, contest the secretarial designation in any naturalization court for the area in which such member resides, by filing of a petition therein requesting designation of a named person other than the secretarial designee, and the burden shall thereupon devolve upon the Secretary to show cause why the member-designated representative should not represent the interests of such member, and the decision of such court shall be final and conclusive;". Withdrawal from tribe.

⊥(e) Subsection 5 (a), paragraph (3), of the Act is amended by deleting the second proviso and by inserting in lieu thereof the following: "*Provided further,* That any person whose name appears on the final roll of the tribe, or a guardian on behalf of any such person who is a minor or an incompetent, shall have the right to purchase, for his or its own account but not as an agent for others, any of such property in lots as offered for sale for not less than the highest offer received by competitive bid; any individual Indian purchaser may apply toward the purchase price all or any part of the sum due him from the conversion of his interest in tribal property; and if more than one right is exercised to purchase the same property pursuant to this proviso the property shall be sold to one of such persons on the basis of competitive bids:". ⊥348 Purchase rights. 25 USC 564d.

(f) Subsection 2 (e) of the Act is amended to read as follows: " 'Adult' means a person who is an adult according to the law of the place of his residence." "Adult". 25 USC 564a.

(g) Subsection 5 (a), paragraph 5, of the Act is amended by deleting

"tribe" and by inserting in lieu thereof "members who elect to remain in the tribe".

25 USC 564g.

(h) Subsection 8 (c) of the Act is amended by inserting after "on land owned by" the words "one or by".

Removal of restrictions

(i) Subsection 8 (b) of the Act is amended by deleting the language that precedes the proviso and by inserting in lieu thereof "All restrictions on the sale or encumbrance of trust or restricted interests in land, wherever located, owned by members of the tribe (including allottees, purchasers, heirs, and devisees, either adult or minor), and on trust or restricted interests in land within the Klamath Indian Reservation, regardless of ownership, are hereby removed four years after the date of this Act, and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any valid encumbrances:".

Guardians for minors, etc.
25 USC 564n

(j) Section 15 of the Act is amended by changing the period at the end thereof to a comma and by adding "without application from the member, including but not limited to the creation of a trust of such member's property with a trustee selected by the Secretary, or the purchase by the Secretary of an annuity for such member: *Provided, however*, That no member shall be declared to be in need of assistance in conducting his affairs unless the Secretary determines that such member does not have sufficient ability, knowledge, experience, and judgment to enable him to manage his business affairs, including the administration, use, investment, and disposition of any property turned over to such member and the income and proceeds therefrom, with such reasonable degree of prudence and wisdom as will be apt to prevent him from losing such property or the benefits thereof: *Provided further*, That any member determined by the Secretary to be in need of assistance in conducting his affairs may, within one hundred and twenty days after receipt of written notice of such secretarial determination, contest the secretarial determination in any naturalization court for the area in which said member resides by filing therein a petition having that purpose; the burden shall thereupon devolve upon the Secretary to show cause why such member should not conduct his own affairs, and the decision of such court shall be final and conclusive with respect to the affected member's conduct of his affairs.

Timber.
25 USC 564–564w.

SEC. 2. Nothing in the Act of August 13, 1954 (68 Stat. 718), shall affect the authority to make timber sales otherwise authorized by law prior to the termination of Federal control over such timber.

Approved, August 14, 1957.

August 14, 1957
[H. R. 5953]
71 Stat. 353

PUBLIC LAW 85–137

AN ACT

To provide for the construction of sewer and water facilities for the Elko Indian colony, Nevada.

Elko Indian Colony, Nev.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to carry out more effectively the purposes of the Act of January 31, 1931 (46 Stat. 1046), as amended (authorizing appropriations for the installation of sanitary sewer and water systems for the Indian village of the Elko Indian colony), and his functions under the Act entitled "An Act to transfer the maintenance and operation of hospital and health facilities for Indians to the Public Health Service, and for other purposes", approved August 5, 1954 (68 Stat. 674), the Surgeon General is authorized—

42 U.S.C. 2001–2004.

(1) to develop plans, after consultation with the Indians concerned and in cooperation with the city of Elko, Nevada, and other appropriate State or local public authorities, for extending the city's water and sewer lines and providing essential domestic

and community water supplies and sewage and waste disposal facilities for the Indian village of the Elko Indian colony, including the provision of necessary appurtenances and fixtures for Indian homes in the village;

(2) to make such arrangements with such public authorities, and with the Indians to be served by such lines, supplies, and facilities (including such appurtenances and fixtures), regarding contributions toward the extension and provision thereof and responsibilities for maintenance thereof, as in his judgment are equitable and will best assure the future maintenance of such lines, supplies, and facilities in an effective and operating condition and, after making such arrangements, to construct (directly or by contract) or otherwise provide such lines, supplies, and facilities on lands occupied by the Elko Indian colony or on lands made available for the purpose by the city of Elko or other public agency; and

(3) to transfer any lines, facilities, or appurtenances provided hereunder, with or without a money consideration, and under such terms and conditions as in his judgment are appropriate, having regard to the contributions made and the maintenance responsibilities undertaken, the special health needs of the Indians concerned, and the purposes of this Act, to the city of Elko, to the State of Nevada, or to any other subdivision of such State or, in the case of domestic appurtenances and fixtures, to any one or more of the occupants of the Indian home served thereby.

Appropriation.

SEC. 2. There are authorized to be appropriated from time to time such sums, not to exceed $40,000, as may be necessary to carry out this Act.

Approved, August 14, 1957.

PUBLIC LAW 85-138

August 14, 1957
[H. R. 1079]
71 Stat. 353

AN ACT

That the lake created by the Jim Woodruff Dam on the Apalachicola River located at the confluence of the Flint and Chattahoochee Rivers be known as Lake Seminole.

Lake Seminole, Ga.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake created by the Jim Woodruff Dam on the Apalachicola River located ⊥at the confluence of the Flint and Chattahoochee Rivers in southwest Georgia shall be known and designated as Lake Seminole in honor of the Seminole Indians whose ancestors, the Hichiti's and Apalachicola's, inhabited the general area in which this lake is located. Any law, regulation, document, or record of the United States in which such lake is referred to under any other name or designation, shall be held to refer to such lake as Lake Seminole.

⊥384

Approved, August 14, 1957.

PUBLIC LAW 85-151

August 16, 1957
[H. R. 8053]
71 Stat. 370

AN ACT

To authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians.

Indian health facilities.
Assistance.
42 U.S.C. 2001-2004.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the Surgeon General of the Public Health Service, in carrying out his functions under the Act of August 5, 1954 (68 Stat. 674) with respect to the provision of health services to Indians in any particular area, determines, after consultation with such Indians, that the provision of financial assistance to one or more public or other nonprofit agencies or organizations for the construction of a community hospital consti-

tutes a method of making needed hospital facilities available for such Indians which is more desirable and effective than direct Federal construction, he may provide such financial assistance from funds available for the construction of Indian health facilities for such Indians.

Restriction on amount.

⊥SEC. 2. The amount of such financial assistance shall not exceed that portion of the reasonable cost of the construction project which is attributable to the Indian health needs, as determined by the Surgeon General: *Provided,* That in determining, for the purposes of this Act, the portion of the cost of the construction project attributable to Indian health needs, the Surgeon General shall take into account only those categories of Indians for which hospital and medical care, including outpatient care and field health services, is being provided by or at the expense of the Public Health Service on the date of enactment of this Act.

Condition.

SEC. 3. As a condition to providing assistance under section 1, the Surgeon General shall—

(a) require plans and specifications meeting such standards of construction and equipment as he may prescribe, and

(b) obtain such assurances and agreements as in his judgment are equitable in the light of the financial assistance provided under this Act and are necessary to assure the availability of the facility for the provision of hospital and medical care to Indians and to assure that the hospital is operated in compliance with State standards for operation and maintenance of hospitals which receive Federal aid under title VI of the Public Health Service Act (42 U. S. C., ch. 6A, subch. IV).

60 Stat. 1041.
42 U. S. C. 291–291n.
Payment.

SEC. 4. The Surgeon General shall make payments under section 1 in advance or by way of reimbursement and in such installments consistent with construction progress, as he may determine.

Eligibility for construction aid

SEC. 5. Neither assistance provided under this Act for meeting part of the cost of construction of a hospital project, nor the giving of any assurance required as a condition of such assistance, shall be construed as affecting in any way the eligibility of such project for aid under title VI of the Public Health Service Act or any other Federal Act authorizing financial aid in the construction of such project, but construction costs met with Federal funds made available under this Act shall not be included in the cost of construction in which the Federal Government shares under such title VI or other Federal Act.

Definitions.

SEC. 6. As used in this Act:

(a) "Hospital" includes diagnostic or treatment centers and general hospitals, and related facilities, such as laboratories, outpatient departments, nurses' home and training facilities, and central service facilities operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care;

(b) "Diagnostic or treatment center" means a facility for the diagnosis or diagnosis and treatment of ambulatory patients—

(1) which is operated in connection with a hospital, or

(2) in which patient care is under the professional supervision of persons licensed to practice medicine or surgery in the State, or, in the case of dental diagnosis or treatment, under the professional supervision of persons licensed to practice dentistry in the State.

(c) "Nonprofit" means owned or operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(d) "Construction" means construction of new buildings, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings (including medical transportation facilities),

including architects and engineering fees, but excluding legal fees, the cost of off-site improvements and the cost of the acquisition of land.

⊥SEC. 7. Except as otherwise specifically provided, nothing in this Act shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any hospital, with respect to which any funds have been or may be expended under this Act. ⊥372 Administration, etc.

Approved, August 16, 1957.

PUBLIC LAW 85–154

August 21, 1957
[H. R. 4830]
71 Stat. 374

AN ACT

To authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the Act of June 4, 1924 (43 Stat. 376), and the Act of March 4, 1934 (46 Stat. 1518), the Tribal Council of the Eastern Band of Cherokee Indians, under such rules and regulations as it prescribes subject to the approval of the Secretary of the Interior, is authorized to revise the roll of the Eastern Band of Cherokee Indians of North Carolina, prepared and approved pursuant to such Acts of June 4, 1924, and March 4, 1934, (1) by removing from such roll the name of any person who is not living on the date of enactment of this Act, (2) by placing on such roll all members of the Eastern Band who on the date of enactment of this Act are not on such roll, and (3) by making from time to time such other changes in, additions to, and deletions from the roll as the tribal council determines to be necessary. The tribal council shall, subject to approval by the Secretary of the Interior, prescribe the requirements (including the degree of Cherokee Indian blood) for membership in the Eastern Band of Cherokee Indians for persons born on or after June 4, 1924. Cherokee Indians, N.C. Tribal roll, revision.

SEC. 2. The Secretary of Interior is hereby authorized to prescribe such rules and regulations as may be necessary to carry out the purposes of this Act.

Approved, August 21, 1957.

PUBLIC LAW 85–167

August 26, 1957
[H. R. 8090]
71 Stat. 416

AN ACT

Making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1958, for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, and for other purposes, namely: Public Works Appropriation Act, 1958.

TITLE I—CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

* * *

⊥CONSTRUCTION, GENERAL ⊥417

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by law; detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for

selection by law (but such studies shall not constitute a commitment of the Government to construction); and not to exceed $1,600,000 for transfer to the Secretary of the Interior for conservation of fish and wildlife as authorized by law; to remain available until expended, $449,398,500: *Provided*, That funds appropriated herein may at the discretion and under the direction of the Chief of Engineers be used in payment to the accounts of the Confederated Tribes of the Yakima Reservation; the Confederated Tribes of the Warm Springs Reservation; the Confederated Tribes of the Umatilla Reservation; or other recognized Indian tribes, and those individual Indians not enrolled in any recognized tribe, but who through domicile at or in the immediate vicinity of the reservoir and through custom and usage are found to have an equitable interest in the fishery, all of whose fishing rights and interests will be impaired by the Government incident to the construction, operation, or maintenance of The Dalles Dam, Columbia River, Washington and Oregon, and must be subordinated thereto by agreement or litigation: *Provided further*, That no part of this appropriation shall be used for projects which are authorized by a law limiting the amount to be appropriated therefor, except as may be within the limits of the amount now or hereafter authorized to be appropriated: . . .

Payment to Indians.

* * *

Approved, August 26, 1957.

August 28, 1957
[H. R. 9131]
71 Stat. 426

PUBLIC LAW 85–170

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes.

Supplemental Appropriation Act, 1958.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply regular and supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1958") for the fiscal year ending June 30, 1958, and for other purposes, namely:

* * *

1433

⊥CHAPTER VI—DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

RESOURCES MANAGEMENT

San Carlos irrigation project.

There is hereby authorized to be transferred to this appropriation, from any other definite annual appropriations from the general funds of the Treasury available to the Bureau of Indian Affairs for the fiscal year ending June 30, 1958, not to exceed $169,000 for emergency operation and maintenance of the San Carlos irrigation project on a nonreimbursable basis: *Provided*, That the Secretary of the Interior is authorized to expend income received from leases on lands on the

Colorado River Indian Tribes.

1434

⊥Colorado River Indian Reservation (southern and northern reserves) for the benefit of the Colorado River Indian Tribes and their members during the current fiscal year, or until beneficial ownership of the lands has been determined if such determination is made during the current fiscal year.

* * *

⊥CHAPTER VII—DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

PUBLIC HEALTH SERVICE

* * *

⊥CONSTRUCTION OF INDIAN HEALTH FACILITIES ⊥435

For an additional amount for "Construction of Indian health facilities", $34,000, for the construction of sewer and water facilities for the Elko Indian colony, Nevada.

* * *

Approved, August 28, 1957.

PUBLIC LAW 85-186

AN ACT

August 28, 1957
[H. R. 7051]
71 Stat. 468

To stimulate industrial development near Indian reservations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon request of any Indian tribe, group, or corporate entity, and approval of the request by the Secretary of the Interior as provided in this Act, the Administrator of the General Services Administration is authorized to transfer, without cost to such Indian tribe, group, or corporate entity, title to any property of the United States at the McNary Dam townsite, Umatilla, Oregon, or at Pickstown, South Dakota, that is declared surplus pursuant to the Federal Property and Administrative Services Act of 1949 (Act of June 30, 1949; 63 Stat. 378), as amended. Such property shall not be exempt from taxation because of the fact that title is held by the Indian tribe, group, or corporate entity.

Umatilla, Oreg. or Pickstown, S. Dak. Conveyance to Indians

40 U. S. C. 471 note.

SEC. 2. The Secretary of the Interior shall approve a request for surplus property pursuant to this Act only if—

Conditions.

(a) the Indian tribe, group, or corporate entity is organized under State or Federal law in a form satisfactory to the Secretary for the purpose of holding title to the property;

(b) the surplus property is to be used to stimulate industrial development near the Indian tribe, band, group, or reservations;

(c) the Indian tribe, group, or corporate entity has executed a contract with an industrial enterprise that is acceptable to the Secretary;

(d) the contract between the Indian tribe, group, or corporate entity and the industrial enterprise contains such provisions as the Secretary deems desirable, including in substance the following:

(1) Title to the property will remain in the Indian tribe, group, or corporate entity, and the property will be made available to the industrial enterprise at a rental fee commensurate with the purposes of this Act, which rental shall be paid to the United States Treasury.

(2) The industrial enterprise will employ Indians in large enough numbers to justify, in the judgment of the Secretary, the purposes of this Act.

(3) The industrial enterprise will agree to pay its employees fair and equitable wages commensurate with the general wage scale in the area.

(4) The industrial enterprise will maintain the property in

good repair, pay all taxes properly assessed against the property, and be responsible for the payment of all charges for utility services to the property.

(5) At the end of the contract period the industry will have an option to purchase the property at its appraised price, as determined by the Secretary, the proceeds of such sale will revert to the United States Treasury.

Reservation.

SEC. 3. Any transfer of title to surplus property pursuant to this Act shall provide for a reversion of title to the United States if the Secretary of the Interior finds that the property is not being used in accordance with the provisions of the Act.

Community services.

SEC. 4. The United States shall not be responsible for providing to the Indians who are employed in an industrial development pursuant to this Act community services that are normally furnished by State [1469] and local governments, such as school, health, welfare, and law-enforcement services.

Notice of termination

SEC. 5. The transfer of McNary Dam townsite shall be upon the express condition that persons or families occupying residential property on the date of the enactment of this Act shall be entitled to at least one hundred and eighty days' notice of termination of their occupancy.

Approved, August 28, 1957.

PUBLIC LAW 85-188

August 28, 1957
[H. R. 9931]

71 Stat. 470

AN ACT

To provide for the conveyance of certain land by the United States to the Cape Flattery School District in the State of Washington.

Cape Flattery School District, Wash. Conveyance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the Cape Flattery School District, Clallam County School District Numbered 401, State of Washington, all the right, title, and interest of the United States and the Makah Indian Tribe in and to the following described land: Lot 1, block 36, village of Neah Bay, Washington, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, in block 41, village of Neah Bay and lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, block 50, village of Neah Bay and that portion of Seventh Street lying between block 41 and 50, village of Neah Bay plus that portion of Sixth Street, lying between lot 1, block 36, and lot 1, block 41, village of Neah Bay, containing 5.56 acres, plus the land in Makah allotment numbered 80 described as the southeast quarter of the northwest quarter of the northeast quarter of section 15, township 33 north, range 15 west, Willamette meridian, containing 10 acres: *Provided*, That such conveyance shall not take place until the Cape Flattery School District, Clallam County School District Numbered 401, State of Washington, shall have conveyed by quitclaim deed to the United States, in trust for the Makah Indian Tribe, all right, title and interest of the Cape Flattery School District, Clallam County School District Numbered 401, State of Washington, in the following described land: Lot 4, section 16, township 32 north, range 15 west, Willamette meridian, Clallam County, Washington, containing 13.60 acres lying west of the River and adjoining the south boundary of the Makah Indian Reservation: *And provided further*, That in the event the Clallam County School District has no further use for the land transferred by the Makah Tribe it shall revert to tribal trust status.

Approved, August 26, 1957.

PUBLIC LAW 85-192

AN ACT

August 28, 1957
[S. 1417]
71 Stat. 471

Relating to the affairs of the Osage Tribe of Indians in Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Act of Congress approved June 28, 1906 (34 Stat. 539), as amended by section 7 of the Act of March 2, 1929 (45 Stat. 1478), is hereby amended by striking therefrom the words "January 1, 1959" and substituting therefor the words "January 1, 1984".

Osage Indians, Okla.
34 Stat. 545.

45 Stat. 1481.

Approved, August 28, 1957.

PUBLIC LAW 85-195

AN ACT

August 28, 1957
[H. R. 6521]
71 Stat. 472

To modify section 3 of the Act of June 30, 1945 (59 Stat. 265).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Notwithstanding the provisions of section 3 of the Act of June 30, 1945 (59 Stat. 265), the Secretary of the Interior is directed to disburse the sums due to the heirs or devisees of deceased claimants who have been identified on or before June 30, 1957.

Sioux Indians.

Approved, August 28, 1957.

PUBLIC LAW 85-205

AN ACT

August 28, 1957
[H. R. 6521]
71 Stat. 472

Authorizing the Secretary of the Interior to convey certain land to the State of North Dakota for the use and benefit of the North Dakota State School of Science.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the State of North Dakota, for the use and benefit of the North Dakota State School of Science, all right, title and interest of the United States to the following described land, located in Richland County, North Dakota, together with any buildings or other improvements thereon: The north half of the southwest quarter of the northwest quarter, the north half of the south half of the southwest quarter of the northwest quarter, lot 3 and the west 19 rods of lot 2 of section 5 in township 132 north of range 47 west of the fifth principal meridian; the said description also being known as the north half of the southwest quarter of the northwest quarter, the north half of the south half of the southwest quarter of the northwest quarter, the northwest quarter of the northwest quarter, and the west 19 rods of the northeast quarter of the northwest quarter of section 5 in township 132 north of range 47 west of the fifth principal meridian, containing 70.0637 acres more or less according to the United States Government survey thereof after allowing a deduction of 5.61 acres more or less now occupied by the Chicago, Milwaukee, St. Paul and Pacific Railroad Company as a right-of-way, formerly known as the Milwaukee and St. Paul Railway Company, being that portion of said land conveyed to the Fargo Southern Railroad Company in a certain warranty deed ⊥recorded in book J of deeds on page 171 of the office of the register of deeds of Richland County, North Dakota: *Provided*, That title to the land described in this section shall revert to the United States if, at any time within twenty-five years after conveyance by the Secretary of the Interior, the land is used for other than educational purposes.

North Dakota State School of Science Conveyance.

1480

Indians.
Free tuition

SEC. 2. (a) As consideration for the transfer of the property referred to in the first section of this Act, the North Dakota State School of Science shall make available for each of its school years, for a period of ten school years, free tuition to ten qualified Indians who wish to attend such school during such school year.

(b) To qualify for free tuition under this Act any such prospective student shall (1) be seventeen years of age or over, (2) be a high school graduate, (3) be recommended by the Bureau of Indian Affairs, and (4) meet the entrance standards of the North Dakota State School of Science.

(c) The period of ten school years during which free tuition shall be made available under this Act shall commence not later than two years after the date of the enactment of this Act.

Reservations.

SEC. 3. The Secretary of the Interior shall reserve to the United States all mineral interests in land conveyed under this Act, and the right to mine and remove the same under applicable laws and regulations to be established by him.

Approved, August 28, 1957.

PUBLIC LAW 85-222

August 30, 1957
[S. 2431]
71 Stat. 497

AN ACT

Granting the consent of Congress to the Klamath River Basin Compact between the States of California and Oregon, and for related purposes.

Klamath River Basin Compact.
Congressional consent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the Klamath River Basin Compact between the States of California and Oregon, which compact is as follows:

"KLAMATH RIVER BASIN COMPACT

"INDEX

"Article I	Purposes
Article II	Definition of Terms
Article III	Distribution and Use of Water
Article IV	Hydroelectric Power
Article V	Interstate Diversion and Storage Rights; Measuring Devices
Article VI	Acquisition of Property for Storage and Diversion; in Lieu of Taxes
Article VII	Pollution Control
Article VIII	Miscellaneous
Article IX	Administration
Article X	Status of Indian Rights
Article XI	Federal Rights
Article XII	General Provisions
Article XIII	Ratification
Article XIV	Termination

"ARTICLE I. PURPOSES

"The major purposes of this compact are, with respect to the water resources of the Klamath River Basin:

"A. To facilitate and promote the orderly, integrated, and comprehensive development, use, conservation, and control thereof for various purposes, including, among others: the use of water for domestic purposes; the development of lands by irrigation and other means; the protection and enhancement of fish, wildlife, and recreational resources; the use of water for industrial purposes and hydroelectric power production; and the use and control of water for navigation and flood prevention.

"B. To further intergovernmental cooperation and comity with respect to these resources and programs for their use and development and to remove causes of present and future controversies by providing (1) for equitable distribution and use of water among the two States and the Federal Government, (2) for preferential rights to the use of water after the effective date of this compact for the anticipated ultimate requirements for domestic and irrigation purposes in the Upper Klamath River Basin in Oregon and California, and (3) for prescribed relationships between beneficial uses of water as a practicable means of accomplishing such distribution and use.

* * *

⊥"ARTICLE X. STATUS OF INDIAN RIGHTS ⊥505

"A. Nothing in this compact shall be deemed:

"1. To affect adversely the present rights of any individual Indian, tribe, band or community of Indians to the use of the waters of the Klamath River Basin for irrigation.

"2. To deprive any individual Indian, tribe, band or community of Indians of any rights, privileges, or immunities afforded under Federal treaty, agreement or statute.

"3. To affect the obligations of the United States of America to the Indians, tribes, bands or communities of Indians, and their reservations.

"4. To alter, amend or repeal any of the provisions of the Act of August 13, 1954, (68 Stat. 718) as it may be amended. 25 U. S. C. 564.

"B. Lands within the Klamath Indian Reservation which are brought under irrigation after the effective date of this compact, whether before or after Section 14 of said Act of August 13, 1954, becomes fully operative, shall be taken into account in determining whether the 200,000 acre limitation provided in paragraph 1 of subdivision C of Article III has been reached. 25 U. S. C. 564m.

* * *

⊥"ARTICLE XIV. TERMINATION ⊥507

* * *

⊥SEC. 4. Nothing in this Act or in the compact shall be construed as: ⊥508

(a) Affecting the obligations of the United States to the Indians or Indian tribes, bands, or communities of Indians, or any right owned or held by or for the Indians or Indian tribes, bands or communities of Indians, which is subject to control by the United States.

Approved, August 30, 1957.

PUBLIC LAW 85-249

AN ACT

August 31, 1957
[H. R. 9023]
71 Stat. 566

To amend the Act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, New Mexico, for furnishing hospital care to certain Indians.

Hospital, Albuquerque, N. Mex.
Reimbursement for care of Indians

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second, third, fourth, and fifth provisos in subsection (b) of the first section of the Act entitled "An Act authorizing an appropriation for the construction, extension, and improvement of a county hospital at Albuquerque, New Mexico, to provide facilities for the treatment of Indians", approved October 31, 1949 (63 Stat. 1049), as amended, are amended to read as follows: "*Provided further*, That the Surgeon General of the Public Health Service shall reimburse the county of Bernalillo, or any successor operator of such hospital, for the care and

treatment of Indians eligible under the regulations of the Surgeon General of the Public Health Service for hospital and medical services who may be admitted to or treated in said hospital under the provisions of the Act of April 16, 1934, as amended (U. S. C., title 25, secs. 452–454), at rates not in excess of the average annual per diem cost of operation and maintenance for the entire hospital. The method of determining average annual per diem cost of operation and maintenance shall be agreed upon between the county of Bernalillo and the Surgeon General of the Public Health Service in the contract between them relating to such hospital. Such payments shall be made by the Surgeon General of the Public Health Service in the manner and at the times agreed upon in said contract: *Provided further*, That, until June 30, 1960, the amount of such payment shall in no event be less than the average annual per diem cost of operation and maintenance for 80 per centum of the beds required to be made available: *And provided further*, That the Surgeon General of the Public Health Service may for temporary periods waive the requirements that one hundred beds always be available for Indians, if for any temporary period such a number is not needed or required, and if in return the operator agrees that the minimum charge should be proportionately reduced."

48 Stat. 596

Effective date.

SEC. 2. The amendments made by the first section of this Act shall take effect as of June 30, 1957.

Approved, August 31, 1957.

PUBLIC LAW 85–271

AN ACT

September 2, 1957
[H. R. 6562]
71 Stat. 596

Relating to the north half of section 33, township 28 south, range 56 east, Copper River meridian, Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the withdrawal and reservation of the north half, section 33, township 28 south, range 56 east, Copper River meridian, near Klukwan, Alaska, by an order of the Secretary of the Interior dated April 27, 1943, for school, health, and other purposes, under the provisions of the Act of May 31, 1938 (52 Stat. 593), is hereby revoked.

Alaska
Revocation of withdrawal order.

48 U. S. C. 353a

SEC. 2. The reservation established by Executive Order Numbered 1764, dated April 21, 1913, and amended as to the boundaries thereof by Executive Order Numbered 3673, dated May 15, 1922, for the use of the natives of Alaska residing near the village of Klukwan, is hereby enlarged to include the north half of said section 33.

Chilkat Indian Village.

25 U. S. C. 473a, 48 U. S. C. 358a

SEC. 3. Said reservation, as so enlarged, may be leased for mining purposes by Chilkat Indian Village organized under the provisions of the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of May 1, 1936 (49 Stat. 1250), with the approval of the Secretary of the Interior, in accordance with the provisions of the Act of May 11, 1938 (52 Stat. 347), as amended or supplemented.

25 U. S. C. 396a–396f.

Approved, September 2, 1957.

PUBLIC LAW 85–274

AN ACT

September 2, 1957
[H. R. 5810]
71 Stat. 598

To provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the Act of September 3, 1954.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money ⊥in the Treasury not otherwise appropriated, to the Cheyenne River Sioux Tribal Council, Cheyenne Agency, South Dakota, the sum of $97,580.23. The payment of such sum shall be in full settlement of all claims of the said tribal council against the United States for reimbursement for expenses incurred by it and caused by, or incident to, negotiations which led up to the making and ratification of the agreement between the United States and said tribal council contained in the Act of September 3, 1954 (68 Stat. 1191).

Sioux Indians.
Cheyenne, S. Dak.
Reimbursement.

⊥599

Approved, September 2, 1957.

PUBLIC LAW 85-303

AN ACT

To grant to the Territory of Alaska title to certain lands beneath tidal waters, and for other purposes.

September 7, 1957
[H. R. 6760]
71 Stat. 623

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

Alaska.
Offshore lands.

(a) The term "natural resources" includes, without limiting the generality thereof, oil, gas, and all other minerals, but does not include fish, shrimp, oysters, clams, crabs, lobsters, sponges, kelp, and other marine animal and plant life, or waterpower, or the use of water for the production of power; and

"Natural resources".

(b) The term "pierhead line" means a pierhead line established, now or in the future, by the Corps of Engineers of the Department of the Army: *Provided,* That the pierhead line shall be a line parallel to the existing line of mean low tide at such distance offshore from the line of mean low tide that said pierhead line shall encompass, to the landward, all stationary, manmade structures (but shall not encompass any part of breakwaters, bridges, or piers used for vessel dockage which part extends beyond such a parallel line marking the seaward extremity of other manmade structures) which were in existence as of February 1, 1957, to the seaward of the particular townsite for which the pierhead line is being established, and shall encompass no more: *And provided further,* That the determination of the location of a pierhead line by the Corps of Engineers shall be conclusive.

"Pierhead line".

SEC. 2. (a) Except as provided in section 3, there is granted to the Territory of Alaska (hereinafter called the "Territory") all the right, title, and interest of the United States in and to all lands within the Territory of Alaska, including improvements thereon and natural resources thereof, lying offshore of surveyed townsites in the Territory, between the line of mean high tide and the pierhead line. For the purposes of this Act, the term "line of mean high tide" shall mean the meander line as heretofore established by Government survey, or, in the event that such a survey has not been made, the present line of mean high tide. Upon the acceptance by the Secretary of the Interior (hereinafter called the "Secretary") at any future time of the survey of any other townsite in the Territory, all the right, title, and interest of the United States in and to the lands, including improvements thereon and natural resources thereof, lying offshore of that surveyed townsite, between the line of mean high tide and the pierhead line, shall pass to the Territory, in the same manner and subject to the same conditions as set forth in this Act for lands lying offshore of townsites which are now surveyed.

Grant of U.S. title, etc.

"Line of mean high tide".

(b) The Territory may manage and dispose of any tract of land acquired by it under subsection (a) of this section, and of any revenues

Management and disposal.

or proceeds therefrom, in such manner as the legislature of the Territory may direct, except that in the disposition, by sale, lease, or otherwise, of any tract which is occupied or developed for municipal, business, residential, or other beneficial purposes on the date of approval of this Act, the Territory shall afford a preference right to the occupant thereof on the date of approval of this Act, or his successor in interest, or, if the Territory deems it more advisable, shall dispose of the tract to the incorporated town or independent school district to which it is adjacent. If such an occupied or developed tract is conveyed to an incorporated town or school district, the town or district shall, in its disposition of the tract, afford a similar prefer-
1624 ⊥ence right to the occupant of the tract. Where the tract is occupied by a person other than the owner of the improvements thereon, the owner of the improvements shall, for the purposes of this subsection, be considered the occupant of the tract: *Provided*, That all oil, gas, or other minerals shall be reserved to the Territory in the event that any part of all of said granted lands are sold or disposed of to a political subdivision or to any other person or organization, such minerals to be subject to exploitation under mineral lease from the Territory only.

Restrictions. (c) The Territory shall not be authorized to manage or dispose of any tract of land granted to the Territory under this Act until the Secretary of the Army has submitted to the Secretary of the Interior and the Governor of the Territory maps showing the pierhead line established by the Corps of Engineers with respect to the tract so granted.

(d) Nothing in this Act shall affect the use, development, improvement, or control by or under the constitutional authority of the United States of such lands and waters for the purposes of navigation or flood control or the production of power, or be construed as the release or relinquishment of any rights of the United States arising under the constitutional authority of Congress to regulate or improve navigation, or to provide for flood control, or the production of power.

Submerged lands Act, effect. SEC. 3. Any lands which are (1) within the purview of section 2 (a) of this Act, and (2) situated to the seaward of the "coastline" as that term is defined in section 2 (c) of the Submerged Lands Act of 1953 (67 Stat. 29), shall be subject to the said Submerged Lands Act and, as to such lands, the Territory shall have equal title, right, and interest as is accorded to States which are subject to that Act in relation to their similar lands; all other lands which come within the purview of section 2 (a) of this Act shall be subject to the provisions of this Act. There are excepted from the operation of the first sentence of this section and the operation of subsection (a) of section 2 of this Act—

43 U. S. C. 1301.

Exceptions.

(a) all tracts or parcels of land together with all accretions thereto, resources therein, or improvements thereon, title to which has been lawfully and expressly acquired by the United States from the Territory of Alaska or from any party in whom title has vested under the laws applicable to the Territory, or the law of the United States, all lands expressly retained by or ceded to the United States, all lands acquired by the United States by gift or by proceedings under eminent domain, all lands filled in, built up, or otherwise reclaimed by the United States for its own use as long as so used, and any rights the United States has in lands presently and actually occupied by the United States under claim of rights;

(b) the lands underlying war housing project ALASKA–50083 located in Juneau, Alaska, together with such easements in, over, through, and upon the adjacent tidal flats as may be necessary to continue the existing main sewer line to deep water;

(c) any land which, on the date of approval of this Act, is held, or any land in which, on the date of approval of this Act, any interest is held, by the United States for the benefit of any tribe,

band, or group of Indians, Aleuts, and Eskimos or for individual Indians, Aleuts, and Eskimos;

(d) all oil and gas deposits located in the submerged lands along the Arctic coast of naval petroleum reserve numbered 4 between the line of mean high tide and the pierhead line; and

(e) all structures and improvements, constructed by the United States in the exercise of its navigational servitude.

⊥625

Retention of rights by U.S.

⊥SEC. 4. (a) The United States retains all its navigational servitude and rights in and powers of regulation and control of the waters over the lands transferred under subsection (a) of section 2 for the constitutional purposes of commerce, navigation, national defense, and international affairs, all of which shall be paramount to, but shall not be deemed to include, proprietary rights of ownership, or the rights of management, administration, disposition, use, and development of the lands and natural resources which are specifically vested in the Territory by subsection (a) of section 2 of this Act.

National defense.

(b) In time of war or when necessary for national defense, and when the Congress or the President shall so prescribe, the United States shall have the right of first refusal to purchase at the prevailing market price, all or any portion of the natural resources granted under subsection (a) of section 2, or to acquire and use any portion of the lands granted thereby, by proceeding in accordance with due process of law and paying just compensation therefor.

Prior rights.

SEC. 5. Nothing contained in this Act shall affect any right which may have been acquired under any law of the United States in lands subject to this Act and such rights, if any, shall be governed by the law in effect at the time at which they were acquired: *Provided, however*, That nothing contained in this Act is intended or shall be construed as a finding, interpretation, or construction by the Congress that the law under which such rights may be claimed in fact or in law applies to the lands subject to this Act, or authorizes or compels the granting of such rights in such lands, and that the determination of the applicability or effect of such law shall be unaffected by anything contained in this Act.

Survey.

SEC. 6. (a) The Secretary is hereby authorized to survey for the purposes of this Act the exterior boundaries of any area in the Territory which is now or in the future occupied as a town, village, or city, notwithstanding the fact that the lands within that area may not be subject to disposal under the public land laws, and upon his acceptance of a survey for such area, the area shall be deemed a surveyed townsite for the purposes of this Act.

Establishment of pierhead lines.

(b) The Secretary of the Army is authorized and directed to cause such pierhead lines to be established as may be requested by the Secretary of the Interior as necessary to carry out the terms of this Act.

Approved, September 7, 1957.

PRIVATE LAWS OF THE EIGHTY-FIFTH CONGRESS, FIRST SESSION, 1957

PRIVATE LAW 85-217

AN ACT

August 28, 1957
[H. R. 1259]

To clear the title to certain Indian land.

71 Stat. A84

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That United States hereby disclaims on behalf of itself and any Indian allottee, or his heirs or devisees, any interest in the eighty-six and eight one-hundredths acres of land in Miami County, Kansas, the title to which was quieted by judgment of the district court of Miami County,

Kansas, in the case of Rutherford and others against Wah-Pon-Ge-Quah and others (numbered 15734).

Approved, August 28, 1957.

PUBLIC LAWS OF THE EIGHTY-FIFTH CONGRESS, SECOND SESSION, 1958

PUBLIC LAW 85-343

AN ACT

March 15, 1958
[S. 1828]
72 Stat. 35

To retrocede to the State of Montana concurrent police jurisdiction over the Blackfeet Highway and its connections with the Glacier National Park road system, and for other purposes.

Blackfeet Highway, Mont.
Police jurisdiction

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby retroceded to the State of Montana such concurrent police jurisdiction as has been ceded to the United States of America over the rights-of-way of the Blackfeet Highway, including the highway itself, and over the rights-of-way of its connections with the Glacier National Park road system on the Blackfeet Indian Reservation, including the high-⊥ways themselves, the same being the jurisdiction ceded by act of the Legislature of Montana, approved February 27, 1929 (laws of Montana, 1929, page 63), and accepted by Act of Congress approved May 2, 1932 (47 Stat. 144).

⊥36

16 U. S. C. 181, 181a.
Nonapplicability.

SEC. 2. Following acceptance by the State of Montana of the retrocession provided herein, the laws and regulations of the United States pertaining to Glacier National Park shall cease to apply to the territory of said rights-of-way and highways.

Approved, March 15, 1958.

PUBLIC LAW 85-381

AN ACT

April 16, 1958
[H. R. 9821]
72 Stat. 89

To amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, and the Act approved June 29, 1956 (70 Stat. 374), to authorize appropriations for continuing the construction of highways, and for other purposes.

Federal-Aid Highway Act of 1958.
23 U. S. C. 48 and note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * *

⊥190

⊥SEC. 2. ADDITIONAL AUTHORIZATION OF APPROPRIATION OF FEDERAL AND PRIMARY, SECONDARY, AND URBAN FUNDS—

* * *

⊥191

⊥(d) FEDERAL SHARE.—The Federal share payable on account of any project provided for by funds made available under the provisions of this section shall not exceed 66⅔ per centum of the total cost thereof plus, in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, a percentage of the remaining 33⅓ per centum of such cost equal to the percentage that the area of such lands in such State is of its total area: *Provided,* That such Federal share payable on any project in any State shall not exceed 95 per centum of the total cost of such project.

* * *

⊥192

⊥SEC. 4. ROADS AND TRAILS IN NATIONAL PARKS, ETC.

* * *

⊥193

⊥(c) INDIAN RESERVATIONS AND LANDS.—For the construction, reconstruction, and improvement of Indian reservation roads and

bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $12,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961: *Provided,* That the location, type, and design of all roads and bridges constructed shall be approved by the Secretary of Commerce before any expenditures are made thereon, and all such construction shall be under the general supervision of the Secretary of Commerce. 25 U. S. C. 318a.

SEC. 5. PUBLIC LANDS HIGHWAYS

For the purpose of carrying out the provisions of section 10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations the additional sum of $1,000,000 for the fiscal year ending June 30, 1959, and the sum of $3,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961.

SEC. 6. SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS, ETC.

Any funds authorized herein for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be available for contract upon apportionment, or a date not earlier than one year preceding the beginning of the fiscal year for which authorized if no apportionment is required: *Provided,* That any amount remaining unexpended two years after the close of the fiscal year for which authorized shall lapse. The Secretary of the department charged with the administration of such funds is hereby granted authority to incur obligations, approve projects, and enter into contracts under such authorizations, and his action in doing so shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and such funds shall be deemed to have been expended when so obligated. Any funds heretofore, herein, or hereafter authorized for any fiscal year for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be deemed to have been expended if a sum equal to the total of the sums authorized for such fiscal year and previous fiscal years since and including the fiscal year ending June 30, 1955, shall have been obligated. Any of such funds released by payment of final voucher or modification of project authorization shall be credited to the balance of unobligated authorizations and be immediately available for expenditure.

* * *

⊥SEC. 12. The Federal-Aid Highway Act of 1956 (70 Stat. 374) is amended by renumbering section 122 as section 123 and inserting a new section 122, as follows: ⊥95 23 U. S. C. 172.

"SEC. 122. AREAS ADJACENT TO THE INTERSTATE SYSTEM

* * *

⊥"(d) Whenever any portion of the Interstate System is located upon or adjacent to any public lands or reservations of the United States, the Secretary of Commerce may make such arrangements and enter into such agreements with the agency having jurisdiction over such lands or reservations as may be necessary to carry out the national policy set forth in subsection (a) of this section, and any such ⊥96

agency is hereby authorized and directed to cooperate fully with the Secretary of Commerce in this connection.

* * *

Approved, April 16, 1958.

PUBLIC LAW 85-387

AN ACT

May 1, 1958
[S. 864]
72 Stat. 99

To provide for the transfer of certain lands to the State of Minnesota.

Minnesota.
Transfer of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the State of Minnesota may, within three years after the date of enactment of this Act, file with the Secretary of the Interior (1) a schedule showing (A) each tract of public land which the State may have selected and which has not been reserved or withdrawn for some Federal use, and each tract of ceded or other Indian lands, which tracts are subject to liens under the Act entitled "An Act to authorize the drainage of certain lands in the State of Minnesota", approved May 20, 1908 (43 U. S. C. 1021–1027); (B) the amount of the lien under the Act of May 20, 1908, on each such tract of land, and the sum of the liens on all such tracts, which liens shall not include any interest charges which may have accrued after April 19, 1929, for land in the Red Lake Game Preserve and after April 25, 1931, for other lands; (C) the date when the lien on each such tract became effective; and (D) the authority under which the charges were assessed; and (2) an application to acquire the lands listed in such schedule in the manner provided in this Act.

35 Stat. 169.

(b) The Secretary may, in his discretion, approve the listing of the lands in such schedule and accept the application for such lands. Upon such acceptance, the Secretary shall appraise the tracts listed in accordance with their fair market value. Such appraisal shall be conclusive for the purposes of this Act. The Secretary shall also determine the amount, if any, by which the total appraised value of the lands listed exceeds the total amount of the liens on such lands under the Act of May 20, 1908.

⊥100

Patents.

⊥SEC. 2. (a) Subject to the provisions of sections 3 and 5, the Secretary shall patent to the State the lands listed in any application accepted under the first section upon payment by the State to the United States of the excess of the total appraised value of the lands listed in such application over the total amount of the liens on such lands under the Act of May 20, 1908: *Provided,* That the payment for each tract of ceded or other Indian land shall be not less than $1.25 per acre for the use and benefit of the Indian tribe or individual owning the tract. The Secretary shall issue a patent to the State under the authority of this subsection only if the State makes payment of the amount of such excess within two years after the determination of such amount. The failure of the State to make payment within the time required by this subsection shall not operate as a bar to the filing of any subsequent schedule and application by the State in the manner, and within the time, prescribed by the first section.

(b) Notwithstanding any other provisions of this Act, the Secretary may issue a patent to the State for the public lands subject to liens under the Act of May 20, 1908, not withdrawn or reserved for Indians or some Federal use, without payment, if he determines through appraisal or otherwise that the total amount of the liens on such lands under that Act is approximately equal to or exceeds the total value of the lands.

(c) Any patent issued to the State under this Act shall contain the provisions and reservations which are inserted in patents for public lands entered under the homestead law.

Claims.

SEC. 3. Nothing in this Act shall be construed to prejudice any valid

claims relating to the lands for which an application has been made and accepted under the first section of this Act. The Secretary shall notify all entrymen of the sum due the State for drainage charges under the Act of May 20, 1908, and shall give to the entrymen any extension of time which he determines is reasonable within which to comply with the requirements of the law under which the entry was made, and to make the payments due the State. The Secretary shall not patent to the State any lands subject to such entries unless and until the entry involved is canceled in accordance with the law under which the entry was made.

Liens or assessments.

SEC. 4. After the date of enactment of this Act, no further liens or assessments shall be imposed on any Federal lands or any ceded or other Indian lands in the State of Minnesota under authority of the Act of May 20, 1908.

Indian lands.

SEC. 5. (a) With respect to ceded or other Indian lands, the Secretary may exercise the authority granted in the first section and section 2 of this Act only with the consent of the Indian owner or owners. The consent of the individuals owning two-thirds of the beneficial interest shall be sufficient in the case of undivided heirship lands. The consent of the Minnesota Chippewa Tribe and of the Red Lake Band of Chippewas, in the case of tribal lands, shall be evidenced by resolution of the recognized governing body of the tribe or band.

(b) Nothing in this Act shall be construed to prejudice Indian title to any lands subject to lien, nor to preclude the right of the Indian owner, or owners, to clear title to their lands by payment of the lien claimed by the State.

(c) Payments made by the State under this Act for the purchase of tribally owned Indian lands shall be deposited in the Treasury of the United States to the credit of the tribe owning such lands, and payments made for the purchase of individually owned Indian lands shall be deposited with the officer in charge of the Indian agency having jurisdiction over such lands to the credit of the Indian owners thereof.

⊥101

Rules and regulations.

⊥SEC. 6. The Secretary may prescribe rules and regulations which he determines will effectuate the purposes of this Act.

Approved, May 1, 1958.

PUBLIC LAW 85–395

May 9, 1958
[H. R. 8524]
72 Stat. 105

AN ACT

To authorize the preparation of a roll of persons of Indian blood whose ancestors were members of the Otoe and Missouria Tribe of Indians and to provide for per capita distribution of funds arising from a judgment in favor of such Indians.

Indians, Otoe and Missouria allotment rolls.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to prepare a roll of the Indians of the blood of the Otoe and Missouria Tribe whose names appear on the allotment rolls of the tribe approved December 7, 1899, June 1, 1906, and January 17, 1907, and who are living on the date of this Act, and the descendants of such allottees who are living on the date of this Act regardless of whether such allottees are living or deceased. Applications for enrollment shall be filed within six months after the date of this Act. The determination of the Secretary regarding the eligibility of an applicant for enrollment shall be final and conclusive.

Withdrawal of funds.

SEC. 2. The Secretary is authorized and directed to withdraw the funds on deposit in the Treasury of the United States to the credit of the Otoe and Missouria Tribe appropriated by the Act of May 19, 1956 (70 Stat. 161, 176), together with accrued interest, in satisfaction of the judgment obtained in the Indian Claims Commission against the United States in docket numbered 11, and to distribute such funds per

capita to the persons whose names appear on the roll prepared pursuant to section 1 of this Act.

⊥106
Per capita payments.

⊥SEC. 3. (a) The Secretary shall make per capita payments directly to a living enrollee, except as provided in subsection (b) of this section. The Secretary shall distribute the share of a person determined to be eligible for enrollment but who dies subsequent to the date of this Act and on whose behalf the application is filed and approved, and the share of a deceased enrollee, directly to his next of kin or legatee as determined by the laws of the place of domicile of the decedent, upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) Per capita payments due persons under twenty-one years of age or persons under legal disability shall be made in accordance with the laws of the place of domicile of such person.

(c) No part of any per capita payment shall be subject to any debt or debts, other than to the United States, created prior to the date of this Act by a person of Indian blood, and such per capita payments shall not be taxable.

Costs.

SEC. 4. All costs incurred by the Secretary in the preparation of such roll and in the payment of such per capita shares shall be paid from the judgment fund or the interest accruing thereon.

Rules and regulations.

SEC. 5. The Secretary is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, May 9, 1958.

May 9, 1958
[H. R. 8958]
72 Stat. 106

PUBLIC LAW 85–396

AN ACT

Authorizing the Secretary of the Interior to convey certain Indian land to the Diocese of Superior, Superior, Wisconsin, for church purposes, and to the town of Flambeau, Wisconsin, for cemetery purposes.

Chippewa Indians.
Conveyances.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, in accordance with the wishes of the General Council of the Lac du Flambeau Band of Lake Superior Chippewa Indians, as expressed by referendum vote on May 14, 1957, is hereby authorized to convey to the Diocese of Superior, Superior, Wisconsin, for church purposes, and to the town of Flambeau, Wisconsin, for cemetery purposes, all right, title, and interest of the United States of America and of the said band in and to the following described tracts of lands:

Diocese of Superior.

To the Diocese of Superior, Superior, Wisconsin:

Lot 1, block 26, in section 5, township 40 north, range 5 east, fourth principal meridian, Wisconsin, plat of the village of Lac du Flambeau, Wisconsin, and that portion of Church Street lying northwesterly of State Highway Numbered 47, subject to all existing valid rights-of-way.

Flambeau, Wis.

To the town of Flambeau:

A parcel of land in the west fractional half of the northeast quarter of section 6, township 40 north, range 5 east, fourth principal meridian, Wisconsin, more particularly described as follows: Commencing at a point 25 feet east of the center of section 6; thence north 33 feet to a point of beginning, said point being on the east right-of-way line of the Pokegama Trail; thence north along said right-of-way line, a distance of 1,485 feet; thence east along the south right-of-way line of said trail, a distance of 396 feet to the drainage canal; thence south 31 degrees east along said drainage canal, a distance of 1,089 feet to swamp; thence southwesterly along edge of said swamp, a distance of 1,221 feet to the point of beginning.

⊥107

⊥SEC. 2. The conveyance authorized by this Act shall be subject to the condition that title to the land shall revert to the United States of America in trust for the Lac du Flambeau Band of the Lake Superior

Chippewa Indians, its successors or assigns, when the land is no longer needed or used for the purpose for which the land is conveyed.

Approved, May 9, 1958.

PUBLIC LAW 85-420

May 19, 1958
[H. R. 8544]
72 Stat. 121

AN ACT

To provide for the restoration to tribal ownership of all vacant and undisposed-of ceded lands on certain Indian reservations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all lands now or hereafter classified as vacant and undisposed-of ceded lands (including townsite lots) on the following named Indian reservations are hereby restored to tribal ownership, subject to valid existing rights:

Indian lands.
Restoration.

Reservation and State	Approximate Acreage
Klamath River, California	159.57
Coeur d'Alene, Idaho	12,877.65
Crow, Montana	10,260.95
Fort Peck, Montana	41,450.13
Spokane, Washington	5,451.00

Provided, That such restoration shall not apply to any lands while they are within reclamation projects heretofore authorized.

SEC. 2. Title to the lands restored to tribal ownership by this Act shall be held by the United States in trust for the respective tribe or tribes, and such lands are hereby added to and made a part of the existing reservations for such tribe or tribes.

SEC. 3. The lands restored to tribal ownership by this Act may be sold or exchanged by the tribe, with the approval of the Secretary of the Interior.

Sale or exchange of lands.

Approved, May 19, 1958.

PUBLIC LAW 85-425

May 23, 1958
[H. R. 358]
72 Stat. 133

AN ACT

To increase the monthly rates of pension payable to widows and former widows of deceased veterans of the Spanish-American War, Civil War, Indian War, and Mexican War, and provide pensions to widows of veterans who served in the military or naval forces of the Confederate States of America during the Civil War.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Veterans' Benefits Act of 1957 (Public Law 85-56) is amended:

Veterans' widows.
Pension increase.
71 Stat. 106, 107.
38 U. S. C. 2431, 2432.

(1) In section 431, strike out the figure "$52.50" and insert the figure "$65".

(2) In subsection 432 (a), strike out the figure "$54.18" and insert the figure "$65", and strike out the figure "$67.73" and insert the figure "$75".

(3) Section 432 is amended by adding at the end thereof the following new subsection:

"(e) For the purpose of this section, and section 433, the term 'veteran' includes a person who served in the military or naval forces of the Confederate States of America during the Civil War, and the term 'active, military or naval service' includes active service in such forces."

(4) In section 433, strike out the figure "$48.77" and insert the figure "$73.13". 38 USC 2433, 2434.

(5) In subsection 434 (a), strike out the figure "$54.18" and insert the figure "$65", and strike out the figure "$67.73" and insert the figure "$75".

(6) In section 435, strike out the figure "$48.77" and insert the figure "$73.13". 38 USC 2435.

(7) In subsection 436 (a), strike out the figure "$54.18" and insert the 71 Stat. 108.

38 USC 2436, 2437.

figure "$65", and strike out the figure "$67.73" and insert the figure "$75".

(8) In section 437, strike out the figure "$62.31" and insert the figure "$73.13".

* * *

Approved, May 23, 1958.

June 5, 1958
[H. R. 10746]

72 Stat. 155

PUBLIC LAW 85-439

AN ACT

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1959, and for other purposes.

Department of the Interior and Related Agencies Appropriation Act, 1959

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1959, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

DEPARTMENTAL OFFICES

* * *

OFFICE OF THE SOLICITOR

Salaries and Expenses

For necessary expenses of the Office of the Solicitor, $2,800,000, and in addition, not to exceed $100,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided,* That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedure Act (60 Stat. 237), as amended.

5 USC 1001 note.

* * *

⊥157

⊥BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $58,139,000.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts as authorized by law; $18,100,000, and in addition, $524,000 of the Revolving Fund for Loans, Bureau of Indian Affairs, shall be used in connection with administering loans to Indians: *Provided,* That the Secretary of the Interior is authorized to expend income received from leases on lands on the Colorado River Indian Reservation (southern and northern reserves) for the benefit of the Colorado River Indian Tribes and their members during the

current fiscal year, or until beneficial ownership of the lands has been determined if such determination is made during the current fiscal year.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; $26,000,000, to remain available until expended, of which not to exceed $12,000 may be paid to the North Dakota State Water Conservation Commission for the construction of culverts at Zeibaugh Pass, North Dakota: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, ⊥Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations.

Restrictions.

⊥158

ROAD CONSTRUCTION AND MAINTENANCE (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in section 6 of the Federal-Aid Highway Act of 1954 (68 Stat. 73) and section 106 of the Federal-Aid Highway Act of 1956 (70 Stat. 376), $8,000,000, to remain available until expended.

23 USC 155.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $3,450,000.

PAYMENT TO MENOMINEE TRIBE OF INDIANS

For reimbursement to the Menominee Tribe of Indians of necessary expenses involved in preparing for termination of Federal supervision, in accordance with the Act of July 14, 1956 (70 Stat. 544), $200,000, to remain available until expended.

PAYMENT TO KLAMATH TRIBE OF INDIANS

For reimbursement to the Klamath Tribe of Indians of necessary expenses involved in preparing for termination of Federal supervision, in accordance with the Act of August 14, 1957 (71 Stat. 347), $250,000, to remain available until expended.

25 USC 564e note.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed two hundred sixty-five passenger motor vehicles for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), and legislation terminating Federal supervision over certain Indian tribes; purchase of ice for official use of employees; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not

otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, ⊥including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a recreational director for the Menominee Reservation and a curator for the Osage Museum, each of whom shall be appointed with the approval of the respective tribal councils and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation.

⊥159

18 U. S. C. 4124

Restriction

* * *

⊥166

⊥TITLE II—RELATED AGENCIES

* * *

⊥168

⊥INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $177,700, of which not to exceed $3,600 shall be available for expenses of travel.

60 Stat. 1049

* * *

⊥169

⊥SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES, SMITHSONIAN INSTITUTION

For all necessary expenses for the preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government and from other sources; for the system of international exchanges between the United States and foreign countries; for anthropological researches among the American Indians and the natives of lands under the jurisdiction or protection of the United States, independently or in cooperation with State, educational, and scientific organizations in the United States, and the excavation and preservation of archeological remains; for maintenance of the Astrophysical Observatory and making necessary observations in high altitudes; for the administration of the National Collection of Fine Arts; for the administration, construction, and maintenance of laboratory and other facilities on Barro Colorado Island, Canal Zone, under the provisions of the Act of July 2, 1940, as amended by the provisions of Reorganization Plan Numbered 3 of 1946; for the maintenance and administration of a national air museum as authorized by the Act of

54 Stat. 724.
20 U. S. C. 79–79e.
60 Stat. 1101
5 U. S. C. 133y–16 note.

August 12, 1946 (20 U. S. C. 77); including not to exceed $35,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); not to exceed $52,525 for expenses of travel; purchase, repair, and cleaning of uniforms for guards and elevator conductors; repairs and alterations of buildings and approaches; and preparation of manuscripts, drawings, and illustrations for publications; $7,355,000.

60 Stat. 997.

60 Stat. 810.

* * *

Approved, June 4, 1958.

PUBLIC LAW 85-483

AN ACT

July 2, 1958
[H. R. 12164]

72 Stat. 286

To permit use of Federal surplus foods in nonprofit summer camps for children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (3), sec- ⊥ tion 416, of the Agricultural Act of 1949, as amended, is amended by adding after the words "nonprofit school lunch programs," the words "in nonprofit summer camps for children,".

⊥ 287
68 Stat. 458.
7 U. S. C. 1431.

* * *

Approved, July 2, 1958.

PUBLIC LAW 85-488

AN ACT

July 2, 1958
[H. R. 6322]

72 Stat. 290

To provide that the dates for submission of plan for future control of property and transfer of the property of the Menominee Tribe shall be delayed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for a per capita distribution of Menominee tribal funds and authorize the withdrawal of the Menominee Tribe from Federal jurisdiction", approved June 17, 1954, as amended, is further amended as follows:

Menominee Indians.

68 Stat. 251.

(a) Section 6 is amended to read as follows:

"SEC. 6. The tribe is authorized to select and retain the services of qualified management specialists, including tax consultants, for the purpose of studying industrial programs on the Menominee Reservation and making such reports or recommendations, including appraisals of Menominee tribal property, as may be desired by the tribe, and to make other studies and reports as may be deemed necessary and desirable by the tribe in connection with the termination of Federal supervision as provided for hereinafter. Such reports shall be completed not later than February 1, 1959. Such specialists are to be retained under contracts entered into between them and authorized representatives of the tribe, subject to approval by the Secretary. Such amounts of Menominee tribal funds as may be required for this purpose shall be made available by the Secretary. In order to reimburse the tribe, in part, for expenditures of such tribal funds as the Secretary deems necessary for the purposes of carrying out the requirements of this section, there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, an amount equal to all of such expenditures incurred prior to the date this sentence becomes effective, plus one-half of such expenditures incurred thereafter, or the sum of $275,000, whichever is the lesser amount."

Management specialists.

Appropriation.

(b) Section 7 is amended to read as follows:

"SEC. 7. The tribe shall as soon as possible and in no event later than February 1, 1959, formulate and submit to the Secretary a plan for the future control of the tribal property and service functions now conducted by or under the supervision of the United States, including but not limited to services in the fields of health, education, welfare, credit, roads, and law and order, and for all other matters involved in

Tribal property control plan.

the withdrawal of Federal supervision. The Secretary is authorized to provide such reasonable assistance as may be requested by officials of the tribe in the formulation of the plan heretofore referred to, including necessary consultations with representatives of Federal departments and agencies, officials of the State of Wisconsin and political subdivisions thereof, and members of the tribe. The Secretary shall accept such tribal plan as the basis for the conveyance of the tribal property if he finds that it will treat with reasonable equity all members on the final roll of the tribe prepared pursuant to section 3 of this Act, and that it conforms to applicable Federal and State law. In the event the tribe fails to submit a plan approvable under the terms of this Act by February 1, 1959, the Secretary shall cause such a plan to be prepared and submitted to the tribe within three months thereafter. The tribe shall thereafter have three months within which to accept the plan of the Secretary or to submit to the Secretary tribal proposals for modification. If the Menominee Tribe and the Secretary cannot agree upon a plan within the aforementioned six months period the Secretary shall within the following six months transfer the tribal property to a trustee of his choice for management or disposition for the benefit of the Menominee Tribe. The responsi-⊥bility of the United States to furnish all such supervision and services to the tribe and to the members thereof, because of their status as Indians, shall cease on December 31, 1960, or on such earlier date as may be agreed upon by the tribe and the Secretary. The plan shall contain provision for protection of the forest on a sustained yield basis and for the protection of the water, soil, fish and wildlife. To the extent necessary, the plan shall provide for such terms of transfer pursuant to section 8 of this Act, by trust or otherwise, as shall insure the continued fulfillment of the plan. The Secretary, after approving the plan, shall cause the plan to be published in the Federal Register. The sustained yield management requirement contained in this Act, and the possible selection of a trustee in the event of a tribal planning default, shall not be construed by any court to impose a financial liability on the United States."

68 Stat. 250

⊥291

68 Stat. 252.

Publication in F R

(c) Section 8 is amended by striking out "December 31, 1958," where it appears, and by inserting in lieu thereof "December 31, 1960".

Property title transfer.

Approved, July 2, 1958.

PUBLIC LAW 85-500

July 8, 1958
[S. 3910]

AN ACT

72 Stat. 297

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * *

⊥1305
Flood Control Act of 1958.

⊥TITLE II—FLOOD CONTROL

* * *

⊥311

⊥MISSOURI RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $200,000,000 for the prosectuion of the comprehensive plan for the Missouri River Basin, approved in the Act of June 28, 1938, as amended and supplemented by subsequent Acts of Congress: *Provided,* That, with respect to any power attributable to any dam in such plan to be constructed by the Corps of Engineers, the construction of which has not been started, a reasonable amount of such power as may be determined by the Secretary of Interior, or such portions thereof as may be required from time to time to meet loads under contract made within this reservation, shall be made available

for use in the State where such dam is constructed: *Provided,* That the distribution and sale of such reserved power within the State shall be made first to preference users in keeping with the provisions of section 5 of the Flood Control Act of 1944; and provided further that the power so reserved for use within the State shall be not to exceed 50 per centum of the output of such dam. 58 Stat. 890

The Secretary of the Army, acting through the Corps of Engineers, is authorized and directed to undertake the construction and to provide suitable sewer facilities, conforming to applicable standards of the South Dakota Department of Health, to replace certain existing water or sewer facilities of (1) the Saint Joseph's Indian School, Chamberlain, South Dakota, by facilities to provide for treatment of sewage or connection to the city system not exceeding $42,000 in cost; (2) Fort Pierre, South Dakota, sewer facilities not exceeding $120,000, and water facilities not exceeding $25,000; and (3) the city of Pierre, South Dakota, sewer facilities not exceeding $210,000; and the Secretary of the Army, acting through the Corps of Engineers, is further authorized and directed to pay to the Chamberlain Water Company, Chamberlain, South Dakota, as reimbursement for removal expenses, not to exceed $5,000, under the provisions of Public Law 534, Eighty-second Congress: *Provided,* That the Secretary of the Army is authorized to provide the sums necessary to carry out the ⊥provisions of this paragraph out of any sums appropriated for the construction of the Oahe and Fort Randall Dam and Reservoir projects, Missouri River. 66 Stat. 624. ⊥312

* * *

Approved, July 3, 1958.

PUBLIC LAW 85-508

AN ACT

July 7, 1958
[H. R. 7999]
72 Stat. 339

To provide for the admission of the State of Alaska into the Union.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 8 (c) of this Act, the State of Alaska is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Alaska entitled, "An Act to provide for the holding of a constitutional convention to prepare a constitution for the State of Alaska; to submit the constitution to the people for adoption or rejection; to prepare for the admission of Alaska as a State; to make an appropriation; and setting an effective date", approved March 19, 1955 (Chapter 46, Session Laws of Alaska, 1955), and adopted by a vote of the people of Alaska in the election held on April 24, 1956, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed. Alaska, statehood.

SEC. 2. The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, now included in the Territory of Alaska. Territory.

SEC. 3. The constitution of the State of Alaska shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. Constitution

SEC. 4. As a compact with the United States said State and its people do agree and declare that they forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of this Act, Compact with U.S.

the right or title to which is held by the United States or is subject to disposition by the United States, and to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for said natives; that all such lands or other property, belonging to the United States or which may belong to said natives, shall be and remain under the absolute jurisdiction and control of the United States until disposed of under its authority, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation: *Provided*, That nothing contained in this Act shall recognize, deny, enlarge, impair, or otherwise affect any claim against the United States, and any such claim shall be governed by the laws of the United States applicable thereto; and nothing in this Act is intended or shall be construed as a finding, interpretation, or construction by the Congress that any law applicable thereto authorizes, establishes, recognizes, or confirms the validity or invalidity of any such claim, and the determination of the applicability or effect of any law to any such claim shall be unaffected by anything in this Act: *And provided further*, That no taxes shall be imposed by said State upon any lands or other property now owned or hereafter acquired by the United States or which, as hereinabove set forth, may belong to said natives, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation.

Title to property

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⊥SEC. 5. The State of Alaska and its political subdivisions, respectively, shall have and retain title to all property, real and personal, title to which is in the Territory of Alaska or any of the subdivisions. Except as provided in section 6 hereof, the United States shall retain title to all property, real and personal, to which it has title, including public lands.

Selection from public lands

SEC. 6. (a) For the purposes of furthering the development of and expansion of communities, the State of Alaska is hereby granted and shall be entitled to select, within twenty-five years after the date of the admission of the State of Alaska into the Union, from lands within national forests in Alaska which are vacant and unappropriated at the time of their selection not to exceed four hundred thousand acres of land, and from the other public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection not to exceed another four hundred thousand acres of land, all of which shall be adjacent to established communities or suitable for prospective community centers and recreational areas. Such lands shall be selected by the State of Alaska with the approval of the Secretary of Agriculture as to national forest lands and with the approval of the Secretary of the Interior as to other public lands: *Provided*, That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the land so occupied.

(b) The State of Alaska, in addition to any other grants made in this section, is hereby granted and shall be entitled to select, within twenty-five years after the admission of Alaska into the Union, not to exceed one hundred and two million five hundred and fifty thousand acres from the public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection: *Provided*, That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the lands so occupied: *And*

provided further, That no selection hereunder shall be made in the area north and west of the line described in section 10 without approval of the President or his designated representative.

(c) Block 32, and the structures and improvements thereon, in the city of Juneau are granted to the State of Alaska for any or all of the following purposes or a combination thereof: A residence for the Governor, a State museum, or park and recreational use.

(d) Block 19, and the structures and improvements thereon, and the interests of the United States in blocks C and 7, and the structures and improvements thereon, in the city of Juneau, are hereby granted to the State of Alaska.

Fish and wildlife resources.

(e) All real and personal property of the United States situated in the Territory of Alaska which is specifically used for the sole purpose of conservation and protection of the fisheries and wildlife of Alaska, under the provisions of the Alaska game law of July 1, 1943 (57 Stat. 301; 48 U. S. C., secs. 192–211), as amended, and under the provisions of the Alaska commercial fisheries laws of June 26, 1906 (34 Stat. 478; U. S. C., secs. 230–239 and 241–242), and June 6, 1924 (43 Stat. 465; 48 U. S. C., secs. 221–228), as supplemented and amended, shall be transferred and conveyed to the State of Alaska by the appropriate Federal agency: *Provided*, That the administration and management of the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing laws until the ⊥first day of the ⊥341 first calendar year following the expiration of ninety legislative days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of said resources in the broad national interest: *Provided*, That such transfer shall not include lands withdrawn or otherwise set apart as refuges or reservations for the protection of wildlife nor facilities utilized in connection therewith, or in connection with general research activities relating to fisheries or wildlife. Sums of money that are available for apportionment or which the Secretary of the Interior shall have apportioned, as of the date the State of Alaska shall be deemed to be admitted into the Union, for wildlife restoration in the Territory of Alaska; pursuant to section 8(a) of the Act of September 2, 1937, as amended (16 U. S. C., sec. 669g–1), and for fish restoration and management in the Territory of Alaska, pursuant to section 12 of the Act of August 9, 1950 (16 U. S. C., sec. 777k), shall continue to be available for the period, and under the terms and conditions in effect at the time, the apportionments are made. Commencing with the year during which Alaska is admitted into the Union, the Secretary of the Treasury, at the close of each fiscal year, shall pay to the State of Alaska 70 per centum of the net proceeds, as determined by the Secretary of the Interior, derived during such fiscal year from all sales of sealskins or sea-otter skins made in accordance with the provisions of the Act of February 26, 1944 (58 Stat. 100; 16 U. S. C., secs. 631a–631q), as supplemented and amended. In arriving at the net proceeds, there shall be deducted from the receipts from all sales all costs to the United States in carrying out the provisions of the Act of February 26, 1944, as supplemented and amended, including, but not limited to, the costs of handling and dressing the skins, the costs of making the sales, and all expenses incurred in the administration of the Pribilof Islands. Nothing in this Act shall be construed as affecting the rights of the United States under the provisions of the Act of February 26, 1944, as supplemented and amended, and the Act of June 18, 1937 (50 Stat. 325), as amended (16 U. S. C., sec. 772 et seq.).

55 Stat. 632.

64 Stat. 434.

Public school support.

(f) Five per centum of the proceeds of sale of public lands lying within said State which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the

expenses incident to such sales, shall be paid to said State to be used for the support of the public schools within said State.

(g) Except as provided in subsection (a), all lands granted in quantity to and authorized to be selected by the State of Alaska by this Act shall be selected in such manner as the laws of the State may provide, and in conformity with such regulations as the Secretary of the Interior may prescribe. All selections shall be made in reasonably compact tracts, taking into account the situation and potential uses of the lands involved, and each tract selected shall contain at least five thousand seven hundred and sixty acres unless isolated from other tracts open to selection. The authority to make selections shall never be alienated or bargained away, in whole or in part, by the State. Upon the revocation of any order of withdrawal in Alaska, the order of revocation shall provide for a period of not less than ninety days before the date on which it otherwise becomes effective, if subsequent to the admission of Alaska into the Union, during which period the State of Alaska shall have a preferred right of selection, subject to the requirements of this Act, except as against prior existing valid rights or as against equitable claims subject to allowance and confirmation. Such preferred right of selection shall have precedence over the preferred right of application created by section 4 of the Act of
⊥342 September ⊥27, 1944 (58 Stat. 748; 43 U. S. C., sec. 282), as now or hereafter amended, but not over other preference rights now conferred by law. Where any lands desired by the State are unsurveyed at the time of their selection, the Secretary of the Interior shall survey the exterior boundaries of the area requested without any interior subdivision thereof and shall issue a patent for such selected area in terms of the exterior boundary survey; where any lands desired by the State are surveyed at the time of their selection, the boundaries of the area requested shall conform to the public land subdivisions established by the approval of the survey. All lands duly selected by the State of Alaska pursuant to this Act shall be patented to the State by the Secretary of the Interior. Following the selection of lands by the State and the tentative approval of such selection by the Secretary of the Interior or his designee, but prior to the issuance of final patent, the State is hereby authorized to execute conditional leases and to make conditional sales of such selected lands. As used in this subsection, the words "equitable claims subject to allowance and confirmation" include, without limitation, claims of holders of permits issued by the Department of Agriculture on lands eliminated from national forests, whose permits have been terminated only because of such elimination and who own valuable improvements on such lands.

Mineral leases, permits, etc.

(h) Any lease, permit, license, or contract issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 181 and following), as amended, or under the Alaska Coal Leasing Act of

48 U. S. C. 432, *passim*

October 20, 1914 (35 Stat. 741; 30 U. S. C., sec. 432 and following), as amended, shall have the effect of withdrawing the lands subject thereto from selection by the State of Alaska under this Act, unless such lease, permit, license, or contract is in effect on the date of approval of this Act, and unless an application to select such lands is filed with the Secretary of the Interior within a period of five years after the date of the admission of Alaska into the Union. Such selections shall be made only from lands that are otherwise open to selection under this Act, and shall include the entire area that is subject to each lease, permit, license, or contract involved in the selections. Any patent for lands so selected shall vest in the State of Alaska all right, title, and interest of the United States in and to any such lease, permit, license, or contract that remains outstanding on the effective date of the patent, including the right to all rentals, royalties, and other payments accruing after that date under such lease, permit, license, or contract, and including any authority that

may have been retained by the States to modify the terms and conditions of such lease, permit, license, or contract: *Provided,* That nothing herein contained shall affect the continued validity of any such lease, permit, license, or contract or any rights arising thereunder.

Mineral land grants.

(i) All grants made or confirmed under this Act shall include mineral deposits. The grants of mineral lands to the State of Alaska under subsections (a) and (b) of this section are made upon the express condition that all sales, grants, deeds, or patents for any of the mineral lands so granted shall be subject to and contain a reservation to the State of all of the minerals in the lands so sold, granted, deeded, or patented, together with the right to prospect for, mine, and remove the same. Mineral deposits in such lands shall be subject to lease by the State as the State legislature may direct: *Provided,* That any lands or minerals hereafter disposed of contrary to the provisions of this section shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States District Court for the District of Alaska.

Schools and colleges.

(j) The schools and colleges provided for in this Act shall forever remain under the exclusive control of the State, or its governmental ⊥subdivisions, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university.

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Confirmation of grants.

(k) Grants previously made to the Territory of Alaska are hereby confirmed and transferred to the State of Alaska upon its admission. Effective upon the admission of the State of Alaska into the Union, section 1 of the Act of March 4, 1915 (38 Stat. 1214; 48 U. S. C., sec. 353), as amended, and the last sentence of section 35 of the Act of February 25, 1920 (41 Stat. 450; 30 U. S. C., sec. 191), as amended, are repealed and all lands therein reserved under the provisions of section 1 as of the date of this Act shall, upon the admission of said State into the Union, be granted to said State for the purposes for which they were reserved; but such repeal shall not affect any outstanding lease, permit, license, or contract issued under said section 1, as amended, or any rights or powers with respect to such lease, permit, license, or contract, and shall not affect the disposition of the proceeds or income derived prior to such repeal from any lands reserved under said section 1, as amended, or derived thereafter from any disposition of the reserved lands or an interest therein made prior to such repeal.

Repeals.

Internal improvements.

(l) The grants provided for in this Act shall be in lieu of the grant of land for purposes of internal improvements made to new States by section 8 of the Act of September 4, 1841 (5 Stat. 455), and sections 2378 and 2379 of the Revised Statutes (43 U. S. C., sec. 857), and in lieu of the swampland grant made by the Act of September 28, 1850 (9 Stat. 520), and section 2479 of the Revised Statutes (43 U. S. C., sec. 982), and in lieu of the grant of thirty thousand acres for each Senator and Representative in Congress made by the Act of July 2, 1862, as amended (12 Stat. 503; 7 U. S. C., secs. 301–308), which grants are hereby declared not to extend to the State of Alaska.

Submerged lands.
43 USC 1301 note.

(m) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) shall be applicable to the State of Alaska and the said State shall have the same rights as do existing States thereunder.

* * *

Approved, July 7, 1958.

PUBLIC LAW 85–523

JOINT RESOLUTION

July 15, 1958
[S. J. Res. 12]

To provide for transfer of right-of-way for Yellowtail Dam and Reservoir, Hardin

72 Stat. 361

unit, Missouri River Basin project and payment to Crow Indian Tribe in connection therewith, and for other purposes.

Yellowtail Dam and Reservoir
Right-of-way payment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, from funds appropriated to the Department of the Interior, Bureau of Reclamation, for the Missouri River Basin project, there shall be transferred in the Treasury of the United States to the credit of the Crow Tribe of Indians, Montana, the sum of $2,500,000. Said sum is intended to include both just compensation for the transfer to the United States as herein provided of all right, title, and interest of the Crow Tribe in and to the tribal lands described in section 2 of this resolution, except such as is reserved or excluded in said section 2, and a share of the special value to the United States of said lands for utilization in connection with its authorized Missouri River Basin project, in addition to other justifiable considerations. Nothing contained in this joint resolution shall be taken as an admission by the United States that it is under any legal obligation to pay more than just compensation to said Crow Tribe and, in any suit brought as provided in section 3 of this resolution, no amount in excess of the sum above stated shall be awarded unless the court finds that the whole of said sum is less than just compensation for all of the tribal right, title, and interest taken.

Tax exemption.

No attorney fees shall be allowed out of the amount paid under authority of this section. Neither the initial transfer of such funds to the Tribe, as provided herein, nor any subsequent per capita distribution thereof shall be subject to Federal income tax.

Crow Tribe.
Land transfer

SEC. 2. (a) Subject to the provisions of this section, there is hereby transferred to the United States the right, title, and interest of the Crow Tribe in and to lands situated in the Big Horn County, Montana, hereinafter described under the headings "PARCEL A" and "PARCEL B".

PARCEL A

Lots 7, 8, 9, 10, 11, and 12, northeast quarter of the southwest quarter and the east half of the southeast quarter of section 18; lots 1, 2, 3, 4, 5, and 6, southwest quarter of the northeast quarter, southeast quarter of the northwest quarter, and the northeast quarter of the southwest quarter of section 19, all in township 6 south, range 31 east, Montana principal meridian, and containing 573.84 acres, more or less.

A tract of unsurveyed, unallotted Indian land described as follows: Beginning on the westerly side of the Big Horn River at a point on the west line of lot 9, section 18, township 6 south, range 31 east, Montana principal meridian, said point being at elevation 3,675; thence running upstream along a contour line whose elevation is 3,675, to a point of intersection with the east line of the southeast quarter of the northeast quarter of section 22, township 6 south, range 30 east, Montana principal meridian; thence southerly along the east line of said southeast quarter of the northeast quarter to a point on the east line of said southeast quarter of the northeast quarter, whose elevation is 3,675; thence running upstream along a contour line whose elevation is 3,675, to a point of intersection with the south boundary of the Crow Indian Reservation on the westerly side of the Big Horn River; thence easterly along the said south boundary of the Crow Indian Reservation to a point of intersection with the middle of the thread of the Big Horn River; thence running upstream along ⊥the middle of the thread of the Big Horn River to a point of intersection with the south line of township 9 south, range 28 east, Montana principal meridian; thence easterly along the south line of said township 9 south, range 28 east, to a point on the south line of said township 9 south, range 28 east, Montana principal meridian, whose elevation is 3,675 feet; thence running downstream along a contour line whose elevation is 3,675 to a point of intersection with the west line of township 6 south, range 31

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east, Montana principal meridian; thence northerly along the west line of said township 6 south, range 31 east, to the point of beginning, and containing 4,771.6 acres, more or less.

Also, a parcel of land lying along the south boundary of the Crow Indian Reservation, further described as follows: Beginning at a point where the 3,675-foot contour to the left of the Big Horn River intersects the south boundary of the Crow Indian Reservation, said point being approximately 5,400 feet westerly of the point of intersection of the Big Horn River and the south boundary of the Crow Indian Reservation; thence running upstream on the 3,675-foot contour to a point where the 3,675-foot contour intersects the south boundary of the Crow Indian Reservation; thence running easterly along the south boundary of the Crow Indian Reservation to the point of beginning and containing 5.7 acres, more or less.

Also, a parcel of land lying along the south boundary of the Crow Indian Reservation and along Hoodoo Creek further described as follows: Beginning at a point on the south boundary of the Crow Indian Reservation where the 3,675-foot contour on the east bank of Hoodoo Creek intersects the south boundary of the Crow Indian Reservation; thence running upstream on the 3,675-foot contour to its intersection with the middle of the thread of Hoodoo Creek; thence running downstream on the 3,675-foot contour to a point where the 3,675-foot contour intersects the south boundary of the Crow Indian Reservation; thence easterly along the south boundary of the Crow Indian Reservation to the point of beginning and containing 1.3 acres, more or less.

The total area above described is 5,352.44 acres, more or less, situated in Big Horn County, Montana.

PARCEL B

Lots 1, 5, and 6 of section 18, lots 4, 6, 7, and 8, and the south half of the northwest quarter of section 17, lots 6 and 7, section 16, all in township 6 south, range 31 east, Montana principal meridian, containing 325.50 acres, more or less, and situated in Big Horn County, Montana.

(b) There is reserved from the right, title, and interest transferred as to parcel B, the Indian Irrigation Service canal and appurtenant facilities, Big Horn unit, Crow Indian Irrigation Department, as now constructed or as they may be hereafter modified, until such time as said canal and appurtenant facilities may be replaced.

(c) Except as to such area as the Secretary determines to be required for the dam site and the construction and operating camp site, the right, title and interest transferred shall be exclusive of the rights to minerals, including gas and oil, beneath the surface: *Provided,* That no permit, license, lease or other document covering the exploration for or the extraction of such minerals shall be granted by or under the authority of the Secretary except under such conditions and with such stipulations as the Secretary deems adequate to protect the interests of the United States in the construction, operation, maintenance and use of the Yellowtail unit.

⊥(d) The members of the Crow Tribe of Indians of Montana shall be permitted to hunt and fish in and on the Yellowtail Reservoir and taking area without a license. ⊥363 Hunting and fishing rights.

SEC. 3. Unless suit is brought by the Crow Tribe in the United States District Court for the District of Montana or the Court of Claims within three years after the effective date of this joint resolution to determine whether an amount additional to that specified in section 1 hereof is due as just compensation, the sum provided by section 1 hereof shall be deemed to constitute full, complete, and final settlement of any and all claims by the tribe on account of the Final settlement.

transfer to the United States as therein provided of the tribe's right, title, and interest in and to the lands referred to in section 2 hereof, including claims based on their power site and dam site values. In the event a suit to determine just compensation is so brought, either of said courts shall have jurisdiction as under section 1505, title 28, United States Code, and in determining just compensation shall take into account the rights reserved to the tribe by subsections (b), (c), and (d) of section 2 hereof and shall, if judgment be for the tribe, deduct from the amount thereof the sum specified in and paid under section 1 of this joint resolution. Review of the judgment shall be in the same manner, and subject to the same limitations, as govern in the case of other claims cognizable under the aforementioned section 1505. Nothing contained in this joint resolution shall be taken as an admission on the part of the United States that just compensation is required for any particular element of value, including power site and dam site value, now or hereafter claimed by the Crow Tribe, but the same shall be determined in accordance with the Constitution and laws of the United States.

63 Stat. 102.

Approved, July 15, 1958.

PUBLIC LAW 85-580

August 1, 1958
[H. R. 11645]

72 Stat. 457

AN ACT

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1959, and for other purposes.

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1959.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1959, namely:

* * *

1461 TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

* * *

1465 PUBLIC HEALTH SERVICE

* * *

1468 INDIAN HEALTH ACTIVITIES

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (42 U. S. C. 2001) (including not to exceed $10,000 for temporary services at rates not to exceed $100 per diem for individuals, when authorized by the Surgeon General); purchase of not to exceed twenty-five passenger motor vehicles for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 321, 322 (d), 324 and 509 of the Public Health Service Act; $40,473,000.

68 Stat. 674.

42 U. S. C. 248, 249, 251, 227.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; and purchase of trailers; $4,124,000, of which $1,750,000 shall be available for the purposes of Public Law 151, 85th Congress, to remain available until June 30, 1960: *Provided*, That such expenditures may be made through

71 Stat. 370.
42 U. S. C. 2005-2005f.

the Department of the Interior at the option of the Secretary of the Department of Health, Education, and Welfare.

* * *

Approved, August 1, 1958.

PUBLIC LAW 85-547

AN ACT

July 22, 1958
[S. 692]
72 Stat. 403

To determine the rights and interests of the Navaho Tribe, Hopi Tribe, and individual Indians to the area set aside by Executive order of December 16, 1882, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lands described in the Executive order dated December 16, 1882, are hereby declared to be held by the United States in trust for the Hopi Indians and such other Indians, if any, as heretofore have been settled thereon by the Secretary of the Interior pursuant to such Executive order. The Navaho Indian Tribe and the Hopi Indian Tribe, acting through the chairmen of their respective tribal councils for and on behalf of said tribes, including all villages and clans thereof, and on behalf of any Navaho or Hopi Indians claiming an interest in the area set aside by Executive order dated December 16, 1882, and the Attorney General on behalf of the United States, are each hereby authorized to commence or defend in the United States District Court for the District of Arizona an action against each other and any other tribe of Indians claiming any interest in or to the area described in such Executive order for the purpose of determining the rights and interests of said parties in and to said lands and quieting title thereto in the tribes or Indians establishing such claims pursuant to such Executive order as may be just and fair in law and equity. The action shall be heard and determined by a district court of three judges in accordance with the provisions of title 28, United States Code, section 2284, and any party may appeal directly to the Supreme Court from the final determination by such three judge district court.

Indian lands.
Trust title.

Adjudication of claims.

62 Stat. 968.

SEC. 2. Lands, if any, in which the Navaho Indian Tribe or individual Navaho Indians are determined by the court to have the exclusive interest shall thereafter be a part of the Navaho Indian Reservation. Lands, if any, in which the Hopi Indian Tribe, including any Hopi village or clan thereof, or individual Hopi Indians are determined by the court to have the exclusive interest shall thereafter be a reservation for the Hopi Indian Tribe. The Navaho and Hopi Tribes, respectively, are authorized to sell, buy, or exchange any lands within their reservations, with the approval of the Secretary of the Interior, and any such lands acquired by either tribe through purchase or exchange shall become a part of the reservation of such tribe.

Navaho and Hopi Reservations.

Purchase or exchange of lands.

SEC. 3. Nothing in this Act shall be deemed to be a congressional determination of the merits of the conflicting tribal or individual Indian claims to the lands that are subject to adjudication pursuant to this Act, or to affect the liability of the United States, if any, under litigation now pending before the Indian Claims Commission.

Approved, July 22, 1958.

PUBLIC LAW 85-605

AN ACT

August 8, 1958
[H. R. 7241]
72 Stat. 531

To amend section 6 of the Act of March 3, 1921 (41 Stat. 1355), entitled "An Act providing for the allotment of lands within the Fort Belknap Indian Reservation, Montana, and for other purposes."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provision contained in section 6 of the Act of March 3, 1921 (41

Fort Belknap Indian Reservation, Mont.
Allotment of lands.

Stat. 1355), all trust allotted lands on the Fort Belknap Indian Reservation designated as homesteads by Indian allottees, pursuant to the requirements of the said section 6, shall be subject to sale, partition, issuance of patent in fee, or other disposition in accordance with the laws relating to the other allotments on the Fort Belknap Reservation and shall be nontaxable as long as held in a trust status. No disposition of such lands heretofore made shall be invalidated because of the provisions of said section 6 making homesteads inalienable.

Approved, August 8, 1958.

PUBLIC LAW 85-610

AN ACT

August 8, 1958
[H. R. 12617]

72 Stat. 541

To amend sections 2 and 3 of the Act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, relating to the trust funds of the Shoshone and Arapahoe Tribes, and for other purposes.

Shoshone and Arapahoe Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapahoe Tribes of the Wind River Reservation", approved May 19, 1947 (ch. 80, 61 Stat. 102), as amended, is hereby amended to read as follows:

25 U. S. C. 612.

Trust fund.

"SEC. 2. The Secretary of the Treasury, upon request of the Secretary of the Interior, is authorized and directed to establish a trust fund account for each tribe and shall make such transfer of funds on the books of his department as may be necessary to effect the purpose of section 1 of this Act: *Provided*, That interest shall accrue on the principal fund only, at the rate of 4 per centum per annum, and shall be credited to the interest trust fund accounts established by this section: *Provided further*, That all future revenues and receipts derived from the Wind River Reservation under any and all laws, and the proceeds from any judgment for money against the United States hereafter paid jointly to the Shoshone and Arapahoe Tribes of the Wind River Reservation, shall be divided in accordance with section 1 of this Act and credited to the principal trust fund accounts established herein; and the proceeds from any judgment for money against the United States hereafter paid to either of the tribes singly shall be credited to the appropriate principal trust fund account."

SEC. 2. Section 3 of the Act entitled "An Act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapahoe Tribes of the Wind River Reservation", approved May 19, 1947 (ch. 80, 61 Stat. 102), as amended, is hereby amended to read as follows:

25 U. S. C. 613.

Business councils, authority.

"SEC. 3. Notwithstanding any other provision of existing law, the trust funds credited to the Shoshone Tribe and the Arapahoe Tribe, respectively, under the provisions of this Act shall be available for expenditure or for advance to the tribes for such purposes as may be requested by the business council of the tribe concerned and approved by the Secretary of the Interior, or such official as may be designated by him: *Provided*, That the Secretary of the Interior is hereby directed to make available out of the trust funds of the Shoshone Tribe the sum of $7,500 for the purpose of making emergency and educational loans on the authority and responsibility of the Shoshone Tribe, through its business council, without liability to the United States and free from regulation or approval by the Secretary of the Interior: *Provided further*, That, commencing as soon after the date this proviso becomes effective as the Secretary of the Interior determines may be practicable in order to change from the existing quarterly payment system, but not later than January 1, 1959, 85 per centum of said trust funds shall be paid per capita to the members of the respective tribes

Emergency and educational loans.

Per capita payments.

in equal monthly installments on the first day of each month, or as near thereto as practicable, or, with the approval of the Secretary of the Interior, at such more frequent intervals as the tribes may request. The amount of the monthly payments during any one calendar year shall be determined by the Secretary of the Interior on the basis of estimated anticipated income for that calendar year: *Provided further,* That the Secretary may increase or decrease the amount of the monthly payments in the light ⊥of actual receipts ⊥1542
during the calendar year, and in order to avoid the omission of a payment or a reduction in the amount that would cause unnecessary hardship the Secretary may permit the total monthly payments for a year to exceed 85 per centum of the actual receipts for that year and deduct the excess from the receipts of the following or succeeding years before determining the amount of the monthly payments for such succeeding years: *Provided further,* That said per capita payments shall not be subject to any lien or claim of any nature against any of the members of said tribes unless the business council of such member shall consent thereto in writing, except as to reimbursable Treasury loans made to individual members of either tribe which may be due to the United States, and except as to irrigation charges owed by individual Indians to the United States with respect to lands for which water is requested and received by said individual Indians, and with respect to lands that are determined by the Secretary of the Interior to be properly classified under existing law on the basis of the survey undertaken by the Secretary after the amendment of this Act on July 25, 1956 (70 Stat. 642): *Provided further,* That quarterly per capita payments under this Act shall continue without interruption until the monthly per capita payments are put into effect on or before January 1, 1959."

25 U. S. C. 613 and note.

Approved, August 8, 1958.

PUBLIC LAW 85-612

AN ACT

August 8, 1958
[H. R. 7681]
72 Stat. 543

To authorize the Secretary of the Interior to convey certain land with the improvements located thereon to the Lummi Indian Tribe for the use and benefit of the Lummi Tribe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the Lummi Indian Tribe, Lummi Reservation, Whatcom County, Washington, for the use and benefit of the members of the Lummi Indian Tribe, all right, title and interest of the United States to the following described land, together with any buildings or other improvements located thereon: Commencing at a point on the south line of lot 9, section 7, township 38 north, range 2 east, Willamette meridian, 9 chains east of the southwest corner of said lot; thence east 4 chains to a point on said south line; thence north 5 chains; thence west 4 chains; thence south 5 chains to point of beginning containing approximately 2 acres. Notwithstanding any other provision of law such land may be leased, sold, or otherwise disposed of by the sole authority of the Lummi Business Council in any manner similar land in the State in which such land is situated may be leased, sold, or otherwise disposed of by private landowners. The land shall not be exempt from taxation because of Indian tribal ownership.

Lummi Indian Tribe.
Conveyance.

Approved, August 8, 1958.

PUBLIC LAW 85-615

AN ACT

August 8, 1958
[H. R. 9139]
72 Stat. 545

To amend the law with respect to civil and criminal jurisdiction over Indian country in Alaska.

Indians.
Jurisdiction in Alaska.
67 Stat. 588.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 1162, title 18, United States Code, is amended (i) by inserting after "State" each time the word appears, except in the second column of the list in subsection (a) of section 1162, "or Territory", (ii) by inserting after "States" each time the word appears "or Territories", and (iii) by adding at the beginning of the list in subsection (a) of section 1162 the following:

"Alaska ---------- All Indian country within the Territory".

67 Stat. 589.

SEC. 2. Subsection (a) of section 1360, title 28, United States Code, is amended (i) by inserting after "State" each time the word appears, except in the second column of the list in subsection (a) of section 1360, "or Territory", (ii) by inserting after "States" each time the word appears "or Territories", and (iii) by adding at the beginning of the list in subsection (a) of section 1360 the following:

"Alaska ---------- All Indian country within the Territory".

Approved, August 8, 1958.

PUBLIC LAW 85-620

AN ACT

August 12, 1958
[H.R. 11378]
72 Stat. 548

To amend Public Laws 815 and 874, Eighty-first Congress, to make permanent the programs providing financial assistance in the construction and operation of schools in areas affected by Federal activities, insofar as such programs relate to children of persons who reside and work on Federal property, to extend such programs until June 30, 1961, insofar as such programs relate to other children, and to make certain other changes in such laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Schools.
Construction in federally affected areas.

TITLE I—AMENDMENT OF PUBLIC LAW 815, EIGHTY-FIRST CONGRESS

64 Stat. 967.
20 U. S. C. 251-255, 271-280.

SEC. 101. The Act of September 23, 1950 (Public Law 815, Eighty-first Congress), as amended, is amended to read as follows:

* * *

1553

"CHILDREN FOR WHOM LOCAL AGENCIES ARE UNABLE TO PROVIDE EDUCATION

"SEC. 10. In the case of children who it is estimated by the Commissioner in any fiscal year will reside on Federal property at the end of the next fiscal year—

"(1) if no tax revenues of the State or any political subdivision thereof may be expended for the free public education of such children; or

"(2) if it is the judgment of the Commissioner, after he has consulted with the appropriate State educational agency, that no local educational agency is able to provide suitable free public education for such children,

the Commissioner shall make arrangements for constructing or otherwise providing the minimum school facilities necessary for the education of such children. To the maximum extent practicable school facilities provided under this section shall be comparable to minimum school facilities provided for children in comparable communities in the State. This section shall not apply (A) to children who reside on Federal property under the control of the Atomic Energy Commission, and (B) to Indian children attending federally operated Indian schools. Whenever it is necessary for the Commissioner to provide school facilities for children residing on Federal property under this section, the membership of such children may not be included in computing

under section 5 the maximum on the total of the payments for any local educational agency.

* * *

⊥"USE OF OTHER FEDERAL AGENCIES; TRANSFER AND AVAILABILITY OF APPROPRIATIONS ⊥554

* * *

"SEC. 13.

⊥"(b) All Federal departments or agencies administering Federal property on which children reside, and all such departments or agencies principally responsible for Federal activities which may give rise to a need for the construction of school facilities, shall to the maximum extent practicable, comply with requests of the Commissioner for information he may require in carrying out the purposes of this Act. ⊥555

"(c) No appropriation to any department or agency of the United States, other than an appropriation to carry out this Act, shall be available for the same purpose as this Act; except that nothing in this subsection shall affect the availability of appropriations authorized, prior to September 23, 1950, for the construction of school facilities to be attended by Indian children or appropriations (1) for the construction of school facilities on Federal property under the control of the Atomic Energy Commission, (2) for the construction of school facilities which are to be federally operated for Indian children, or (3) for the construction of school facilities under the Alaska Public Works Act, approved August 24, 1949. 63 Stat. 627. 48 U. S. C. 486 note

"SCHOOL CONSTRUCTION ASSISTANCE IN OTHER FEDERALLY-AFFECTED AREAS

"SEC. 14. (a) If the Commissioner determines with respect to any local educational agency that—

"(1) such agency is providing or, upon completion of the school facilities for which provision is made herein, will provide free public education for children who reside on Federal property, and whose membership in the schools of such agency has not formed and will not form the basis for payments under other provisions of this Act, and that the total number of such children represents a substantial percentage of the total number of children for whom such agency provides free public education or that the total number of such children who reside on Indian lands located outside the school district of such agency equals or exceeds 100;

"(2) the immunity of such Federal property to taxation by such agency has created a substantial and continuing impairment of its ability to finance needed school facilities;

"(3) such agency is making a reasonable tax effort and is exercising due diligence in availing itself of State and other financial assistance available for the purpose; and

"(4) such agency does not have sufficient funds available to it from other Federal, State, and local sources to provide the minimum school facilities required for free public education in its school district,

he may provide the additional assistance necessary to enable such agency to provide such facilities, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest; but such additional assistance may not exceed the portion of the cost of such facilities which the Commissioner estimates is attributable to children who reside on Federal property, and which has not been, and is not to be, recovered by the local educational agency from other sources, including payments by the United States under any other provisions of this

Act or any other law. Notwithstanding the provisions of this subsection, the Commissioner may waive the percentage requirement in paragraph (1) in the case of any application for additional assistance on account of children who reside on Indian lands whenever, in his judgment, exceptional circumstances exist which make such action
1556 necessary to ⊥avoid inequity and avoid defeating the purposes of this section. Assistance may be furnished under this subsection without regard to paragraph (2) (but subject to the other provisions of this subsection and subsection (c)) to any local educational agency which provides free public education for children who reside on Indian lands located outside its school district. For purposes of this subsection 'Indian lands' means Indian reservations or other real property referred to in the third sentence of section 15 (1).

Appropriation "(b) There are hereby authorized to be appropriated for each fiscal year ending prior to July 1, 1961, such sums, not to exceed $40,000,000 in the aggregate, as may be necessary to carry out the provisions of this section. There are also authorized to be appropriated such sums as may be necessary for administration of such provisions. Amounts so appropriated, other than amounts appropriated for administration, shall remain available until expended, except that after June 30, 1961, no agreement may be made to extend assistance under this section.

"(c) No payment may be made to any local educational agency under subsection (a) except upon application therefor which is submitted through the appropriate State educational agency and is filed with the Commissioner in accordance with regulations prescribed by him, and which meets the requirements of section 6 (b) (1). In determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and financial needs of the local educational agencies which have submitted approvable applications and the nature and extent of the Federal responsibility. No payment may be made under subsection (a) unless the Commissioner finds, after consultation with the State and local educational agencies, that the project or projects with respect to which it is made are not inconsistent with over-all State plans for the construction of school facilities. All determinations made by the Commissioner under this section shall be made only after consultation with the appropriate State educational agency and the local educational agency.

"(d) Amounts paid by the Commissioner to local educational agencies under subsection (a) may be paid in advance of, or by way of reimbursement for, work performed or purchases made pursuant to the agreement with the Commissioner under this section, and may be paid in such installments as the Commissioner may determine. Any funds paid to a local educational agency and not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States.

"(e) None of the provisions of sections 1 to 10, both inclusive, other than section 6 (b) (1), shall apply with respect to determinations made under this section.

"DEFINITIONS

"SEC. 15. For the purposes of this Act—

"(1) The term 'Federal property' means real property which is owned by the United States or is leased by the United States, and which is not subject to taxation by any State or any political subdivision of a State or by the District of Columbia. Such term includes real property which is owned by the United States and leased therefrom and the improvements thereon, even though the lessee's interest, or any improvement on such property, is subject to taxation by a State or a political subdivision of a State or by the District of Columbia. Except for the purposes of section 10, such term also includes (A) real property held in trust by the United States for individual Indians or

Indian tribes, and real property held by individual Indians or Indian tribes which is subject to restrictions on alienation imposed by the United States, . . .

* * *

⊥TITLE II—AMENDMENTS TO PUBLIC LAW 874, EIGHTY-FIRST CONGRESS ⊥559

SEC. 201. (a) Section 2 (a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended by striking out "the fiscal year beginning July 1, 1950, or for any of the seven succeeding fiscal years" and inserting in lieu thereof the following: "any fiscal year ending prior to July 1, 1961".

Federal acquisition of real property.
64 Stat. 1101.
20 U. S. C. 237.

(b) Paragraph (1) of section 2 (b) of such Act is amended by inserting before the period at the end thereof the following: ", but shall not include payments pursuant to contract or other arrangement under section 1 of the Act of April 16, 1934, commonly referred to as the Johnson-O'Malley Act (25 U. S. C., sec. 452)".

48 Stat. 596

* * *

⊥SEC. 204. Subsection (d) of section 8 of such Act is amended— ⊥560

* * *

Transfer and availability of appropriations.

(2) by inserting before the period at the end thereof the following: ", or the availability of appropriations under the Act of April 16, 1934, commonly referred to as the Johnson-O'Malley Act (25 U. S. C., sec. 452)".

48 Stat. 596; 49 Stat. 1458.

* * *

Approved, August 12, 1958.

PUBLIC LAW 85-623

AN ACT

August 12, 1958
[H.R. 12850]
72 Stat. 562

To prohibit the introduction, or manufacture for introduction, into interstate commerce of switchblade knives, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

Switchblade knives.
Prohibition.
Definitions.

(a) The term "interstate commerce" means commerce between any State, Territory, possession of the United States, or the District of Columbia, and any place outside thereof.

(b) The term "switchblade knife" means any knife having a blade which opens automatically—

(1) by hand pressure applied to a button or other device in the handle of the knife, or

(2) by operation of inertia, gravity, or both.

* * *

SEC. 3. Whoever, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18 of the United States Code), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18 of the United States Code), manufactures, sells, or possesses any switchblade knife, shall be fined not more than $2,000 or imprisoned not more than five years, or both.

Territorial jurisdiction.
62 Stat. 757; 63 Stat. 94
62 Stat. 685; 66 Stat. 589.

* * *

Approved, August 12, 1958.

PUBLIC LAW 85-628

AN ACT

August 14, 1958
[H.R. 11722]
72 Stat. 575

To provide compensation to the Crow Tribe of Indians for certain ceded lands embraced within and otherwise required in connection with the Huntley reclamation project, Montana, and for other purposes.

Indians.
Payment to Crow Tribe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby authorized to be transferred in the Treasury of the United States from funds now or hereafter made available to the Bureau of Reclamation and to be placed to the credit of the Crow Tribe of Indians, Montana, and expended for its benefit and the benefit of its members, pursuant to existing law, a sum of money determined as provided in this section for terminating and extinguishing all of the right, title, estate, and interest, except minerals including oil and gas, of said Indian tribe in and to the lands of that part of the former Crow Indian Reservation lying within the boundaries described below. The Secretary of the Interior shall appraise the fair market value of the interest in the lands taken by this Act within ninety days after passage of this Act and offer that sum to the Crow Tribe. The Crow Tribe may also appraise the fair market value of the interest in the lands taken by this Act and determine whether the appraisal of the Secretary of the Interior is acceptable to the Crow Tribe. If the offer of the Secretary of the Interior is not accepted within sixty days, the Secretary or the Crow Tribe is authorized to commence in a court of competent jurisdiction an action for determining the just compensation payable for such taking. The fair market value of, and the just compensation payable for, the Indian interest in the lands taken by this Act shall not include any value attributable to the construction and development by the United States of the Huntley reclamation project.

The perimeter boundaries of the tract of land, dealt with hereinabove, they being also the proposed exterior boundaries of the Huntley reclamation project, Montana, are described as follows:

Beginning at a point where the midchannel of the Yellowstone River intersects the west sixteenth line of section 1, township 3 north, range 31 east, principal meridian, Montana;

Thence south along said west sixteenth line to the southwest sixteenth corner; which is the southeast corner of lot 2 of said section 1;

Thence west along the south sixteenth line to the south sixteenth corner between sections 1 and 2;

Thence south along the section line to the south sixteenth corner between sections 11 and 12;

Thence west along the south sixteenth line to the southwest sixteenth corner of section 11;

Thence north along the west sixteenth line to the west sixteenth corner of section 11;

Thence west along the quarter line to the east sixteenth corner of section 10;

Thence south along the east sixteenth line to the southeast sixteenth corner of section 10;

Thence west along the south sixteenth line to the southwest sixteenth corner of section 10;

Thence south along the west sixteenth line to the west sixteenth corner between sections 10 and 15;

Thence west along the section line to the corner common to sections 9, 10, 15, and 16;

Thence south along the section line to the quarter corner between sections 15 and 16;

1576 ⊥Thence west along the quarter line to the C quarter corner of section 16;

Thence north along the quarter line to the north sixteenth corner of section 16;

Thence west along the north sixteenth line to the northeast sixteenth corner of section 17;

Thence south along the east sixteenth line to the C-N-SE sixty-fourth corner, which is the southeast corner of the north half of the northwest quarter of the southeast quarter of section 17;

Thence west along the sixty-fourth line to the C-N-S sixty-fourth corner, which is the southwest corner of the north half of the northwest quarter of the southeast quarter of section 17;

Thence north along the quarter line to the north sixteenth corner of section 17; thence west along the north sixteenth line to the northwest sixteenth corner of section 17;

Thence south along the west sixteenth line to the southwest sixteenth corner of section 17;

Thence west along the south sixteenth line to the south sixteenth corner of section 18;

Thence south along the quarter line to the C quarter corner of section 19;

Thence west along the quarter line to the west quarter corner of section 19, said quarter corner lying on the range line between ranges 30 and 31 east of the principal meridian, Montana;

Thence south along the range line to the east quarter corner of section 25, township 3 north, range 30 east, principal meridian, Montana;

Thence west along the quarter line to the east sixteenth corner of section 25;

Thence south along the east sixteenth line to the southeast sixteenth corner of section 25;

Thence west along the south sixteenth line to the south sixteenth corner of section 25;

Thence south along the quarter line to the quarter corner between sections 25 and 36;

Thence west along the section line to the corner common to sections 25, 26, 35, and 36;

Thence south along the section line to the quarter corner between sections 35 and 36;

Thence west along the quarter line to the C quarter corner of section 35;

Thence north along the quarter line to the north sixteenth corner of section 35;

Thence west along the north sixteenth line to the northwest sixteenth corner of section 35;

Thence south along the west sixteenth line to the west sixteenth corner of section 35;

Thence west along the quarter line to the quarter corner between sections 34 and 35;

Thence south along the section line to the south sixteenth corner between sections 34 and 35;

Thence east along the south sixteenth line to the southwest sixteenth corner of section 35;

Thence south along the west sixteenth line to the west sixteenth corner between section 35, township 3 north, range 30 east, and section 2, township 2 north, range 30 east, principal meridian, Montana;

Thence west along the township line to the corner common to sections 34 and 35, township 3 north, range 30 east, and sections 2 and 3, township 2 north, range 30 east;

⊥Thence north along the section line to the south sixteenth corner between sections 34 and 35; ⊥577

Thence west along the south sixteenth line to the southeast sixteenth corner of section 34;

Thence south along the east sixteenth line to the east sixteenth corner between section 34, township 3 north, range 30 east, and section 3, township 2 north, range 30 east;

Thence west along the township line to the west sixteenth corner between section 34, township 3 north, range 30 east, and section 3, township 2 north, range 30 east, principal meridian, Montana;

Thence south along the west sixteenth line to the C-N-NW sixty-fourth corner of section 3, which is the southeast corner of the northeast quarter of lot 5, section 3, township 2 north, range 30 east, principal meridian, Montana;

Thence west along the sixty-fourth line to the NW–NW sixty-fourth corner, which is the northwest corner of the southeast quarter of lot 5, section 3;

Thence south along the sixty-fourth line to the C-W-NW sixty-fourth corner, which is the southwest corner of the southeast quarter of lot 5, section 3;

Thence east along the north sixteenth line to the C-W-NE sixty-fourth corner, which is the northeast corner of the west half of the southwest quarter of the northeast quarter of section 3;

Thence south along the sixty-fourth line to the C-W-E sixty-fourth corner, which is the southeast corner of the west half of the southwest quarter of the northeast quarter of section 3;

Thence east along the quarter line to the C-E-E sixty-fourth corner, which is the northeast corner of the west half of the northeast quarter of the southeast quarter of section 3;

Thence south along the sixty-fourth line to the C-E-SE sixty-fourth corner, which is the southeast corner of the west half of the northeast quarter of the southeast quarter of section 3;

Thence west along the south sixteenth line to the southeast sixteenth corner of section 3;

Thence south along the east sixteenth line to the east sixteenth corner of section 10;

Thence east along the quarter line to the C-E-E sixty-fourth corner, which is the northeast corner of the west half of the northeast quarter of the southeast quarter of section 10;

Thence south along the sixty-fourth line to the C-E-SE sixty-fourth corner, which is the southeast corner of the west half of the northeast quarter of the southeast quarter of section 10;

Thence east along the south sixteenth line to the south sixteenth corner between sections 10 and 11;

Thence south along the section line to the quarter corner between sections 14 and 15;

Thence east along the quarter line to the C-W-W-W two-hundred-fifty-sixth corner, which is the northeast corner of the west half of the west half of the northwest quarter of the southwest quarter of section 14;

Thence south along the two-hundred-fifty-sixth line to the C-W-W southwest two-hundred-fifty-sixth corner, which is the southeast corner of the west half of the west half of the northwest quarter of the southwest quarter of section 14;

Thence east along the south sixteenth line to the C-W-SW sixty-fourth corner, which is the northeast corner of the west half of the southwest quarter of the southwest quarter of section 14;

1578 ⊥Thence south along the sixty-fourth line to the W-W sixty-fourth corner between sections 14 and 23, which is the southeast corner of the west half of the southwest quarter of the southwest quarter of section 14;

Thence east along the section line to the E-W sixty-fourth corner between sections 14 and 23, which is th northeast corner of the west half of the northeast quarter of the northwest quarter of section 23;

Thence south along the sixty-fourth line to the C-E-NW sixty-fourth corner, which is the southeast corner of the west half of the northeast quarter of the northwest quarter of section 23;

Thence west along the north sixteenth line to the north sixteenth corner between sections 22 and 23;

Thence south along the section line to the north sixteenth corner between sections 26 and 27;

Thence west along the north sixteenth line to the north sixteenth corner between sections 27 and 28;

Thence north along the section line to the south sixteenth corner between sections 21 and 22;

Thence west along the south sixteenth line to the south sixteenth corner of section 21;

Thence north along the quarter line to the quarter corner between sections 16 and 21;

Thence west along the section line to the west sixteenth corner between sections 16 and 21;

Thence south along the west sixteenth line to the northwest sixteenth corner of section 21;

Thence west along the north sixteenth line to the north sixteenth corner between sections 20 and 21;

Thence north along the section line to the corner common to sections 16, 17, 20, and 21;

Thence east along the section line to the W-W sixty-fourth corner between sections 16 and 21, which is the southeast corner of the west half of the southwest quarter of the southwest quarter of section 16;

Thence north along the sixty-fourth line to the C-W-SW sixty-fourth corner, which is the northeast corner of the west half of the southwest quarter of the southwest quarter of section 16;

Thence west along the south sixteenth line to the C-W-W-SW two-hundred-fifty-sixth corner, which is the southeast corner of the west half of the west half of the northwest quarter of the southwest quarter of section 16;

Thence north along the two-hundred-fifty-sixth line to the C-W-W-W two-hundred-fifty-sixth corner, which is the northeast corner of the west half of the west half of the northwest quarter of the southwest quarter of section 16;

Thence west along the quarter line to the quarter corner between sections 16 and 17;

Thence north along the section line to the quarter corner between sections 8 and 9;

Thence west along the quarter line to the quarter corner between sections 7 and 8; thence north along the section line to the corner common to sections 5, 6, 7, and 8;

Thence west along the section line to the quarter corner between sections 6 and 7;

Thence north along the quarter line to the C-S-S sixty-fourth corner, which is the northeast corner of the south half of the southeast quarter of the southwest quarter of section 6;

Thence west along the sixty-fourth line to the C-S-SW sixty-fourth corner which is the northwest corner of the south half of the southeast quarter of the southwest quarter of section 6;

⊥Thence north along the west sixteenth line to the southwest ⊥579
sixteenth corner of section 6;

Thence west along the south sixteenth line to the south sixteenth corner between section 1, township 2 north, range 29 east, and section 6, township 2 north, range 30 east, principal meridian, Montana;

Thence south along the range line to the S–S sixty-fourth corner between said sections 1 and 6, which is the southeast corner of the north half of the southeast quarter of the southeast quarter of section 1;

Thence west along the sixty-fourth line to the C-S-SW sixty-fourth corner of section 2, which is the northwest corner of the south half of the southeast quarter of the southwest quarter of section 2;

Thence south along the west sixteenth line to the west sixteenth corner between sections 2 and 11;

Thence west along the section line to the corner common to sections 3, 4, 9, and 10;

Thence south along the section line to the north sixteenth corner between sections 9 and 10;

Thence west along the north sixteenth line to the northeast sixteenth corner of section 9;

Thence north along the east sixteenth line to the east sixteenth corner between sections 4 and 9;

Thence west along the section line to the corner common to sections 5, 6, 7, and 8;

Thence south along the section line to the south sixteenth corner between sections 7 and 8;

Thence west along the south sixteenth line to the south sixteenth corner of section 7;

Thence south along the quarter line to the quarter corner between sections 7 and 18;

Thence west along the section line to the west sixteenth corner between sections 7 and 18;

Thence north along the west sixteenth line to the C-S-SW sixty-fourth corner, which is the northeast corner of the southeast quarter of lot 11, section 7;

Thence west along the sixty-fourth line to the SW-SW sixty-fourth corner, which is the northwest corner of the southeast quarter of lot 11, section 7;

Thence south along the sixty-fourth line to the W-W sixty-fourth corner between sections 7 and 18, which is the southwest corner of the southeast quarter of lot 11, section 7;

Thence west along the section line to the corner common to sections 7 and 18, township 2 north, range 29 east, and sections 12 and 13, township 2 north, range 28 east, principal meridian, Montana;

Thence south along the section line to the north sixteenth corner between sections 13 and 18;

Thence west along the north sixteenth line to the northeast sixteenth corner of section 14, township 2 north, range 28 east;

Thence south along the east sixteenth line to the east sixteenth corner of section 14;

Thence west along the quarter line to the west sixteenth corner of section 14;

Thence south along the west sixteenth line to the southwest sixteenth corner of section 14;

Thence west along the south sixteenth line to the south sixteenth corner between sections 14 and 15;

Thence south along the section line to S-S sixty-fourth corner between sections 14 and 15, which is the southeast corner of the north half of the southeast quarter of the southeast quarter of section 15;

1580 ⊥Thence west along the sixty-fourth line to the C-S-SE sixty-fourth corner, which is the southwest corner of the north half of the southeast quarter of the southeast quarter of section 15;

Thence north along the east sixteenth line to the southeast sixteenth corner of section 15;

Thence west along the south sixteenth line to the south sixteenth corner of section 15;

Thence north along the quarter line to the C fourth corner of section 15;

Thence west along the quarter line to the west sixteenth corner of section 15;

Thence south along the west sixteenth line to the southwest sixteenth corner of section 15;

Thence west along the south sixteenth line to the south sixteenth corner between sections 15 and 16;

Thence south along the section line to the corner common to sections 15, 16, 21, and 22;

Thence west along the section line to the east sixteenth corner between sections 16 and 21;

Thence south along the east sixteenth line to the northeast sixteenth corner of section 21;

Thence west along the north sixteenth line to the north sixteenth corner of section 21;

Thence south along the quarter line to the C-S-N sixty-fourth corner, which is the southeast corner of the north half of the southeast quarter of the northwest quarter of section 21;

Thence west along the sixty-fourth line to the C-S-NW sixty-fourth corner, which is the southwest corner of the north half of the southeast quarter of the northwest quarter of section 21;

Thence south along the west sixteenth line to the C-N-SW sixty-fourth corner, which is the southeast corner of the north half of the northwest quarter of the southwest quarter of section 21;

Thence west along the sixty-fourth line to the N-S sixty-fourth corner between sections 20 and 21, which is the southwest corner of the north half of the northwest quarter of the southwest quarter of section 21;

Thence south along the section line to the south sixteenth corner between sections 20 and 21;

Thence west along the south sixteenth line to the southeast sixteenth corner of section 20;

Thence south along the east sixteenth line to the C-S-SE sixty-fourth corner, which is the southeast corner of the north half of the southwest quarter of the southeast quarter of section 20;

Thence west along the sixty-fourth line to the C-S-S sixty-fourth corner, which is the southwest corner of the north half of the southwest quarter of the southeast quarter of section 20;

Thence south along the quarter line to the quarter corner between sections 20 and 29;

Thence west along the section line to the west sixteenth corner between sections 20 and 29;

Thence south along the west sixteenth line to the northwest sixteenth corner of section 29;

Thence west along the north sixteenth line to the north sixteenth corner between sections 29 and 30;

Thence north along the section line to the corner common to sections 19, 20, 29, and 30;

Thence west along the section line to the quarter corner between sections 19 and 30;

⊥Thence south along the quarter line to the C quarter corner of section 30; ⊥581

Thence west along the quarter line to the west sixteenth corner of section 30;

Thence south along the west sixteenth line to the southwest sixteenth corner of section 30;

Thence west along the south sixteenth line to the south sixteenth corner between section 30, township 2 north, range 28 east, and section 25, township 2 north, range 27 east, principal meridian, Montana;

Thence south along the range line to the corner common to sections 30 and 31, township 2 north, range 28 east, and sections 25 and 36, township 2 north, range 27 east;

Thence west along the section line to the E-W sixty-fourth corner between sections 25 and 36, which is the northeast corner of the

northwest quarter of the northeast quarter of the northwest quarter of section 36;

Thence south along the sixty-fourth line to the NE-NW sixty-fourth corner, which is the southeast corner of the northwest quarter of the northeast quarter of the northwest quarter of section 36;

Thence west along the sixty-fourth line to the C-N-NW sixty-fourth corner, which is the southwest corner of the northwest quarter of the northeast quarter of the northwest quarter of section 36;

Thence south along the west sixteenth line to the northwest sixteenth corner of section 36;

Thence west along the north sixteenth line to the C-W-NW sixty-fourth corner, which is the northeast corner of the west half of the southwest quarter of the northwest quarter of section 36;

Thence south along the sixty-fourth line to the C-W-W sixty-fourth corner, which is the southeast corner of the west half of the southwest quarter of the northwest quarter of section 36;

Thence west along the quarter line to the quarter corner between sections 35 and 36;

Thence south along the section line to the N-S sixty-fourth corner between sections 35 and 36, which is the southeast corner of the northeast quarter of the northeast quarter of the southeast quarter of section 35;

Thence west along the sixty-fourth line to the NE-SE sixty-fourth corner, which is the southwest corner of the northeast quarter of the northeast quarter of the southeast quarter of section 35;

Thence south along the sixty-fourth line to the C-E-SE sixty-fourth corner, which is the southeast corner of the southwest quarter of the northeast quarter of the southeast quarter of section 35;

Thence west along the south sixteenth line to the southwest sixteenth corner of section 35;

Thence south along the west sixteenth line to the C-S-SW sixty-fourth corner, which is the southeast corner of the north half of the southwest quarter of the southwest quarter of section 35;

Thence west along the sixty-fourth line to the S-S sixty-fourth corner between sections 34 and 35, which is the southwest corner of the north half of the southwest quarter of the southwest quarter of section 35;

Thence south along the section line to the corner of the township line common to sections 34 and 35;

Thence west along the township line between townships 1 and 2 north, range 27 east, to the midchannel of the Yellowstone River;

Thence downstream along the midchannel of the Yellowstone River to the point of beginning.

⊥582

Transfer of funds

⊥(b) There is hereby authorized to be transferred in the Treasury of the United States from funds now or hereafter made available to the Bureau of Reclamation and to be placed to the credit of the Crow Tribe of Indians a sum equal to all net revenues collected by the United States from grazing and agricultural leases on and other uses of the undisposed of ceded Crow lands referred to in subsection (a) of this section between 1904 and the date of this Act, together with interest which would have been earned in accordance with law on such revenues had they been deposited in the trust funds of the Tribe, as received: *Provided,* That such transfer shall not affect the credit of any part of such revenues to the repayment obligation of the Huntley Irrigation District as provided in its contract with the United States dated January 2, 1927.

Restoration of vacant lands

SEC. 2. All unentered and vacant lands within the area described in section 1 hereof, are hereby restored to the public domain for administration, use, occupancy, and disposal under the reclamation and public-land laws of the United States, and shall not be subject to any other law with respect to Indian ceded lands: *Provided,* That the

minerals reserved for the benefit of the Crow Tribe pursuant to section 1 hereof shall be leased or otherwise disposed of under the laws and regulations relating to Indian trust lands.

SEC. 3. The sum transferred to the credit of the Crow Tribe of Indians as aforesaid and the expenses of carrying out the provisions of this Act shall be nonreimbursable and nonreturnable under the reclamation laws of the United States. The net proceeds derived from the disposal of said lands shall be covered into the general fund of the Treasury or into the reclamation fund as the Secretary of the Interior shall find appropriate in the light of the source from which the funds transferred or expended in carrying out this Act are derived. Net proceeds.

SEC. 4. The Secretary of the Interior is authorized to perform any and all acts to carry out the provisions and purposes of this Act. Delegation of authority

Approved, August 14, 1958.

PUBLIC LAW 85–671

AN ACT

August 18, 1958
[H.R. 2824]
72 Stat. 619

To provide for the distribution of the land and assets of certain Indian rancherias and reservations in California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands, including minerals, water rights, and improvements located on the lands, and other assets of the following rancherias and reservations in the State of California shall be distributed in accordance with the provisions of this Act: Alexander Valley, Auburn, Big Sandy, Big Valley, Blue Lake, Buena Vista, Cache Creek, Chicken Ranch, Chico, Cloverdale, Cold Springs, Elk Valley, Guidiville, Graton, Greenville, Hopland, Indian Ranch, Lytton, Mark West, Middletown, Montgomery Creek, Mooretown, Nevada City, North Fork, Paskenta, Picayune, Pinoleville, Potter Valley, Quartz Valley, Redding, Redwood Valley, Robinson, Rohnerville, Ruffeys, Scotts Valley, Smith River, Strawberry Valley, Table Bluff, Table Mountain, Upper Lake, Wilton. Indian rancherias. Land distribution

SEC. 2. (a) The Indians who hold formal or informal assignments on each reservation or rancheria, or the Indians of such reservation or rancheria, or the Secretary of the Interior after consultation with such Indians, shall prepare a plan for distributing to individual Indians the assets of the reservation or rancheria, including the assigned and the unassigned lands, or for selling such assets and distributing the proceeds of sale, or for conveying such assets to a corporation or other legal entity organized or designated by the group, or for conveying such assets to the group as tenants in common. The Secretary shall provide such assistance to the Indians as is necessary to organize a corporation or other legal entity for the purposes of this Act. Distribution of assets.

(b) General notice shall be given of the contents of a plan prepared pursuant to subsection (a) of this section and approved by the Secretary, and any Indian who feels that he is unfairly treated in the proposed distribution of the property shall be given an opportunity to present his views and arguments for the consideration of the Secretary. After such consideration, the plan or a revision thereof shall be submitted for the approval of the adult Indians who will participate in the distribution of the property, and if the plan is approved by a majority of such Indians who vote in a referendum called for that purpose by the Secretary the plan shall be carried out. It is the intention of Congress that such plan shall be completed not more than three years after it is approved. Referendum.

(c) Any grantee under the provisions of this section shall receive an unrestricted title to the property conveyed, and the conveyance shall be recorded in the appropriate county office.

(d) No property distributed under the provisions of this Act shall at Taxation.

the time of distribution be subject to any Federal or State income tax. Following any distribution of property made under the provisions of this Act, such property and any income derived therefrom by the distributee shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided,* That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

Surveys.

SEC. 3. Before making the conveyances authorized by this Act on any rancheria or reservation, the Secretary of the Interior is directed:

(a) To cause surveys to be made of the exterior or interior boundaries of the lands to the extent that such surveys are necessary or

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⊥appropriate for the conveyance of marketable and recordable titles to the lands.

Improvement of roads.

(b) To complete any construction or improvement required to bring Indian Bureau roads serving the rancherias or reservations up to adequate standards comparable to standards for similar roads of the State or subdivision thereof. The Secretary is authorized to contract with the State of California or political subdivisions thereof for the construction or improvement of such roads and to expend under such contracts moneys appropriated by Congress for the Indian road system. When such roads are transferred to the State or local government the Secretary is authorized to convey rights-of-way for such roads, including any improvements thereon.

Water systems.

(c) To install or rehabilitate such irrigation or domestic water systems as he and the Indians affected agree, within a reasonable time, should be completed by the United States.

(d) To cancel all reimbursable indebtedness owing to the United States on account of unpaid construction, operation, and maintenance charges for water facilities on the reservation or rancheria.

Land exchanges.

(e) To exchange any lands within the rancheria or reservation that are held by the United States for the use of Indians which the Secretary and the Indians affected agree should be exchanged before the termination of the Federal trust for non-Indian lands and improvements of approximately equal value.

Water rights.

SEC. 4. Nothing in this Act shall abrogate any water right that exists by virtue of the laws of the United States. To the extent that the laws of the State of California are not now applicable to any water right appurtenant to any lands involved herein they shall continue to be inapplicable while the water right is in Indian ownership for a period not to exceed fifteen years after the conveyance pursuant to this Act of an unrestricted title thereto, and thereafter the applicability of such laws shall be without prejudice to the priority of any such right not theretofore based upon State law. During the time such State law is not applicable the Attorney General shall represent the Indian owner in all legal proceedings, including proceedings before administrative bodies, involving such water right, and in any necessary affirmative action to prevent adverse appropriation of water which would encroach upon the Indian water right.

Conveyances.

SEC. 5. (a) The Secretary of the Interior is authorized to convey without consideration to Indians who receive conveyances of land pursuant to this Act, or to a corporation or other legal entity organized by such Indians, or to a public or nonprofit body, any federally owned property on the reservations or rancherias subject to this Act that is not needed for the administration of Indian affairs in California.

(b) For the purposes of this Act, the assets of the Upper Lake Rancheria and the Robinson Rancheria shall include the one-hundred-and-sixty-acre tract set aside as a wood reserve for the Upper Lake Indians by secretarial order dated February 15, 1907.

(c) The Secretary of the Interior is authorized to sell the five

hundred and sixty acres of land, more or less, which were withdrawn from entry, sale, or other disposition, and set aside for the Indians of Indian Ranch, Inyo County, California, by the Act of March 3, 1928 (45 Stat. 162), and to distribute the proceeds of sale among the heirs of George Hanson.

Disbursements.

SEC. 6. The Secretary of the Interior shall disburse to the Indians of the rancherias and reservations that are subject to this Act all funds of such Indians that are in the custody of the United States.

Claims.

SEC. 7. Nothing in this Act shall affect any claim filed before the Indian Claims Commission, or the right, if any, of the Indians sub-⊥ject to this Act to share in any judgment recovered against the United States on behalf of the Indians of California.

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Appointment of guardians.

SEC. 8. Before conveying or distributing property pursuant to this Act, the Secretary of the Interior shall protect the rights of individual Indians who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs, by causing the appointment of guardians for such Indians in courts of competent jurisdiction, or by such other means as he may deem adequate, without application from such Indians, including but not limited to the creation of a trust for such Indians' property with a trustee selected by the Secretary, or the purchase by the Secretary of annuities for such Indians.

Educational training.

SEC. 9. Prior to the termination of the Federal trust relationship in accordance with the provisions of this Act, the Secretary of the Interior is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the Indians to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

Finality of plan.

SEC. 10. (a) The plan for the distribution of the assets of a rancheria or reservation, when approved by the Secretary and by the Indians in a referendum vote as provided in subsection 2 (b) of this Act, shall be final, and the distribution of assets pursuant to such plan shall not be the basis for any claim against the United States by an Indian who receives or is denied a part of the assets distributed.

Laws applicable.

(b) After the assets of a rancheria or reservation have been distributed pursuant to this Act, the Indians who receive any part of such assets, and the dependent members of their immediate families, shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall be inapplicable to them, and the laws of the several States shall apply to them in the same manner as they apply to other citizens or persons within their jurisdiction. Nothing in this Act, however, shall affect the status of such persons as citizens of the United States.

Revocation

25 U. S. C. 461–479.

SEC. 11. The constitution and corporate charter adopted pursuant to the Act of June 18, 1934 (48 Stat. 984), as amended, by any rancheria or reservation subject to this Act shall be revoked by the Secretary of the Interior when a plan is approved by a majority of the adult Indians thereof pursuant to subsection 2 (b) of this Act.

Rules and regulations.

SEC. 12. The Secretary of the Interior is authorized to issue such rules and regulations and to execute or approve such conveyancing

instruments as he deems necessary to carry out the provisions of this Act.

Appropriation

SEC. 13. There is authorized to be appropriated not to exceed $509,235 to carry out the provisions of this Act.

Approved, August 18, 1958.

PUBLIC LAW 85–731

August 23, 1958
[S. 3051]

72 Stat. 816

AN ACT

To amend the Act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for private or Federal acquisition of the part of the tribal forest that must be sold, and for other purposes.

Klamath Indians.
25 U. S. C. 564–564w

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 13, 1954 (68 Stat. 718), is amended by adding a new section 28 as follows:

25 U. S. C. 564d, 564e

"SEC. 28. Notwithstanding the provisions of sections 5 and 6 of the Act of August 13, 1954 (68 Stat. 718), and all Acts amendatory thereof—

Designation of boundaries.

"(a) The tribal lands that comprise the Klamath Indian Forest, and the tribal lands that comprise the Klamath Marsh, shall be designated by the Secretary of the Interior and the Secretary of Agriculture, jointly.

Klamath Indian Forest.
Sales.

"(b) The portion of the Klamath Indian Forest that is selected for sale pursuant to subsection 5 (a) (3) of this Act to pay members who withdraw from the tribe shall be offered for sale by the Secretary of the Interior in appropriate units, on the basis of competitive bids, to any purchaser or purchasers who agree to manage the forest lands as far as practicable according to sustained yield procedures so as to furnish a continuous supply of timber according to plans to be prepared and submitted by them for approval and inclusion in the conveyancing instruments in accordance with specifications and requirements referred to in the invitations for bids: *Provided,* That no sale shall be for a price that is less than the realization value of the units involved determined as provided in subsection (c) of this section. The terms and conditions of the sales shall be prescribed by the Secretary. The specifications and minimum requirements to be included in the invitations for bids, and the determination of appropriate units for sale, shall be developed and made jointly by the Secretary of the Interior and the Secretary of Agriculture. Such plans when prepared by the purchaser shall include provisions for the conservation of soil and water resources as well as for the management of the timber resources as hereinbefore set forth in this section. Such plans shall be satisfactory to and have the approval of the Secretary of Agriculture as complying with the minimum standards included in said specifications and requirements before the prospective purchaser shall be entitled to have his bid considered by the Secretary of the Interior and the failure on the part of the purchaser to prepare and submit a satisfactory plan to the Secretary of Agriculture shall constitute grounds for rejection of such bid. Such plans shall be incorporated as conditions in the conveyancing instruments executed by the Secretary and shall be binding on the grantee and all successors in interest. The conveyancing instruments shall provide for a forfeiture and a reversion of title to the lands to the United States, not in trust for or subject to Indian use, in the event of a breach of such conditions. The purchase price paid by the grantee shall be deemed to represent the full appraised fair market value of the lands, undiminished by the right of reversion retained by the United States in a nontrust status, and the retention of such

Terms and conditions.

right of reversion shall not be the basis for any claim against the United States. The Secretary of Agriculture shall be responsible for enforcing such conditions. Upon any reversion of title pursuant to this subsection, the lands shall be-⊥come national forest ⊥817 lands subject to the laws that are applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended. 16 U. S. C. 480–563, *passim*.

"(c) Within sixty days after this section becomes effective the Secretary of the Interior shall contract by negotiation with three qualified appraisers or three qualified appraisal organizations for a review of the appraisal approved by the Secretary pursuant to subsection 5 (a) (2) of this Act, as amended. In such review full consideration shall be given to all reasonably ascertainable elements of land, forest, and mineral values. Not less than thirty days before executing such contracts the Secretary shall notify the chairman of the House Committee on Interior and Insular Affairs and the chairman of the Senate Committee on Interior and Insular Affairs of the names and addresses of the appraisers selected. The cost of the appraisal review shall be paid from tribal funds which are hereby made available for such purpose, subject to full reimbursement by the United States, and the appropriation of funds for that purpose is hereby authorized. Upon the basis of a review of the appraisal heretofore made of the forest units and marsh lands involved and such other materials as may be readily available, including additional market data since the date of the prior appraisal, but without making any new and independent appraisal, each appraiser shall estimate the fair market value of such forest units and marsh lands as if they had been offered for sale on a competitive market without limitation on use during the interval between the adjournment of the Eighty-fifth Congress and the termination date specified in subsection 6(b) of this Act, as amended. This value shall be known as the realization value. If the three appraisers are not able to agree on the realization value of such forest units and marsh lands, then such realization values shall be determined by averaging the values estimated by each appraiser. The Secretary shall report such realization values to the chairman of the House Committee on Interior and Insular Affairs and to the chairman of the Senate Committee on Interior and Insular Affairs not later than January 15, 1959. No sale of forest units that comprise the Klamath Indian forest designated pursuant to subsection 28(a) shall be made under the provisions of this Act prior to April 1, 1959.

Appraisals.

Notice to Congressional committees.

Appropriation.

Report to Congress.

"(d) If all of the forest units offered for sale in accordance with subsection (b) of this section are not sold before April 1, 1961, the Secretary of Agriculture shall publish in the Federal Register a proclamation taking title in the name of the United States to as many of the unsold units or parts thereof as have, together with the Klamath Marsh lands acquired pursuant to subsection (f) of the section, an aggregate realization value of not to exceed $90,000,000, which shall be the maximum amount payable for lands acquired by the United States pursuant to this Act. Compensation for the forest lands so taken shall be the realization value of the lands determined as provided in subsection (c) of this section, unless a different amount is provided by law enacted prior to the proclamation of the Secretary of Agriculture. Appropriation of funds for that purpose is hereby authorized. Payment shall be made as soon as possible after the proclamation of the Secretary of Agriculture. Such lands shall become national forest lands subject to the laws that are applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended. Any of the forest units that are offered for sale and that are not sold or taken pursuant to sub-⊥section (b) or (d) of this section ⊥818

National Forest lands.

Publication in F.R.

Appropriation.

16 U. S. C. 480–563, *passim*.

shall be subject to sale without limitation on use in accordance with the provisions of section 5 of this Act.

Sale of retained lands to Secretary of Agriculture.

"(e) If at any time any of the tribal lands that comprise the Klamath Indian Forest and that are retained by the tribe are offered for sale other than to members of the tribe, such lands shall first be offered for sale to the Secretary of Agriculture, who shall be given a period of twelve months after the date of each such offer within which to purchase such lands. No such lands shall be sold at a price below the price at which they have been offered for sale to the Secretary of Agriculture, and if such lands are reoffered for sale they shall first be reoffered to the Secretary of Agriculture. The Secretary of Agriculture is hereby authorized to purchase such lands subject to such terms and conditions as to the use thereof as he may deem appropriate, and any lands so acquired shall thereupon become national forest lands subject to the laws that are applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended.

16 U. S. C. 485-563 passim. Wildlife Refuge.

"(f) The lands that comprise the Klamath Marsh shall be a part of the property selected for sale pursuant to subsection 5 (a) (3) of this Act to pay members who withdraw from the tribe. Title to such lands is hereby taken in the name of the United States effective April 1, 1961. Such lands are designated as the Klamath Forest National Wildlife Refuge, which shall be administered in accordance with the law applicable to areas acquired pursuant to section 4 of the Act of March 16, 1934 (48 Stat. 451), as amended or supplemented. Compensation for said taking shall be the realization value of the lands determined in accordance with subsection (c) of this section, and shall be paid out of funds in the Treasury of the United States, which are hereby authorized to be appropriated for that purpose.

16 U. S. C. 718d. Appropriation.

Homesites.

"(g) Any person whose name appears on the final roll of the tribe, and who has since December 31, 1956, continuously resided on any lands taken by the United States by subsections (d) and (f) of this section, shall be entitled to occupy and use as a homesite for his lifetime a reasonable acreage of such lands, as determined by the Secretary of Agriculture, subject to such regulations as the Secretary of Agriculture may issue to safeguard the administration of the national forest and as the Secretary of the Interior may issue to safeguard the administration of the Klamath Forest National Wildlife Refuge.

"(h) If title to any of the lands comprising the Klamath Indian Forest is taken by the United States, the administration of any outstanding timber sales contracts thereon entered into by the Secretary of the Interior as trustee for the Klamath Indians shall be administered by the Secretary of Agriculture.

"(i) All sales of tribal lands pursuant to subsection (b) of this section or pursuant to section 5 of this Act on which roads are located shall be made subject to the right of the United States and its assigns to maintain and use such roads."

Tax exemption. 25 U. S. C. 564c.

SEC. 2. Section 4 of the Act of August 13, 1954, is amended by adding thereto a new sentence reading thus: "Property which this section makes subject to inheritance or bequest and which is inherited or bequeathed after August 13, 1954, and prior to the transfer of title to tribal property as provided in section 6 of this Act shall not be subject to State or Federal inheritance, estate, legacy, or succession taxes."

25 U. S. C. 564e.

Penalty. 25 U. S. C. 564d.

SEC. 3. No funds distributed pursuant to section 5 of the Act of August 13, 1954, as amended, to members who withdraw from the tribe shall be paid to any person as compensation for services pertaining to the enactment of said Act or amendments thereto and any ⊥person making or receiving such payments shall be guilty of a

misdemeanor and shall be imprisoned for not more than six months and fined not more than $500.

Termination of contract.

SEC. 4. The Secretary of the Interior is directed to terminate the contract between him and the management specialists by giving immediately the sixty-day notice required by paragraph 18 of such contract. When the contract is terminated, all of the functions of the management specialists under section 5 of the Act of August 13, 1954, as amended, shall be performed by the Secretary.

SEC. 5. Nothing in this Act shall in any way modify or repeal the provisions of subsection 5 (a) of the Act of August 13, 1954 (68 Stat. 718), as amended, providing for and requiring members of the Klamath Tribe to elect to withdraw from or remain in the tribe, following the appraisal of the tribal property.

Repeal.

SEC. 6. The first proviso of subsection 5 (a) (3) of the Act of August 13, 1954 (68 Stat. 718), relating to distributions in $200,000 installments, is repealed.

Preference rights. 71 Stat. 348. 25 U. S. C. 564d.

SEC. 7. The second proviso of subsection 5 (a) (3) of said Act, as amended, relating to Indian preference rights, is further amended by deleting "any individual Indian purchaser may apply toward the purchase price all or any part of the sum due him from the conversion of his interest in tribal property" and by inserting in lieu thereof "any individual Indian purchaser who has elected to withdraw from the tribe may apply toward the purchase price up to 100 per centum of the amount estimated by the Secretary to be due him from the sale or taking of forest and marsh lands pursuant to subsections 28 (b), 28 (d), and 28 (f) of this Act, and up to 75 per centum of the amount estimated by the Secretary to be due him from the conversion of his interest in other tribal property".

Management plan

SEC. 8. The Act of August 13, 1954 (68 Stat. 718), is amended by adding at the end of subsection 5 (a) (5) the following sentence: "If no plan that is satisfactory both to the members who elect to remain in the tribe and to the Secretary has been prepared six months before the time limit provided in subsection 6 (b) of this Act, as amended, the Secretary shall adopt a plan for managing the tribal property, subject to the provisions of section 15 of this Act, as amended."

25 U. S. C. 564e.

25 U. S. C. 564n.

25 U.S.C. 564–564w

SEC. 9. Except as provided below the provisions of the Act of August 13, 1954 (68 Stat. 718), as amended, shall not apply to cemeteries within the reservation. The Secretary is hereby authorized and directed to transfer title to such properties to any organization authorized by the tribe and approved by him. In the event such an organization is not formed by the tribe within eighteen months following enactment of this Act, the Secretary is directed to perfect the organization of a nonprofit entity empowered to accept title and maintain said cemeteries, any costs involved to be subject to the provisions of section 5 (b) of said Act of August 13, 1954, as amended.

25 U. S. C. 564d

25 U. S. C. 564e.

SEC. 10. Subsection (b) of section 6 of the Act of August 13, 1954 (68 Stat. 718), as amended, is further amended by striking out "six years" and inserting in lieu thereof "seven years".

25 U. S. C. 564g

SEC. 11. Subsection 8 (b) of the Act of August 13, 1954 (68 Stat. 718), as amended, is further amended by changing the colon to a period and by deleting the following language: "*Provided*, That the provisions of this subsection shall not apply to subsurface rights in such lands, and the Secretary is directed to transfer such subsurface rights to one or more trustees designated by him for management for a period not less than ten years."

Approved, August 23, 1958.

PUBLIC LAW 85-740

AN ACT

To provide for the construction and improvement of certain roads on the Navajo and Hopi Indian Reservations.

August 23, 1958
[S. 3468]

72 Stat. 834

Navajo and Hopi Indians.
Roads.

25 U. S. C. 631

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to promote the rehabilitation of the Navajo and Hopi Tribes of Indians and a better utilization of the resources of the Navajo and Hopi Indian Reservations, and for other purposes," approved April 19, 1950 (64 Stat. 44), is amended (1) by striking out "88,570,000" and inserting in lieu thereof "108,570,000"; (2) by amending clause (7) of such section to read as follows: "(7) Roads and trails, $40,000,000; of which not less than $20,000,000 shall be (A) available for contract authority for such construction and improvement of the roads designated as route 1 and route 3 on the Navajo and Hopi Indian Reservations as may be necessary to bring the portion of such roads located in any State up to at least the secondary road standards in effect in such State, and (B) in addition to any amounts expended on such roads under the $20,000,000 authorization provided under this clause prior to amendment.": *Provided,* That such contract authority and such appropriations authorized by this amendment shall be in addition to sums apportioned to Indian reservations or to the State of Arizona under the Federal Highway Act, as amended and supplemented (70 Stat. 374).

23 U. S. C. 151 note.

Approved, August 23, 1958.

PUBLIC LAW 85-758

AN ACT

August 25, 1958
[H. R. 9740]
72 Stat. 852

To convey certain land to the Makah Tribe of Indians.

Makah Indian Reservation.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) all right, title, and interest of the United States in and to those lands lying within the Makah Indian Reservation, Washington, more particularly described in subsection (b) of this section are hereby conveyed to the Makah Indian Tribe.

(b) Easterly 50.0 feet of portion of Government lot 6, section 11, township 33 north, range 15 west, Willamette meridian, and the westerly 250.0 feet of a portion of Government lot 7, section 12, township 33 north, range 15 west, Willamette meridian, comprising 3.01 acres more or less.

Notwithstanding any other provision of law such land may be leased, sold, or otherwise disposed of by the sole authority of the Makah Tribal Council in any manner similar land in the State may be leased, sold, or otherwise disposed of by private landowners. The land shall not be exempt from taxation because of Indian tribal ownership.

Approved, August 25, 1958.

PUBLIC LAW 85-766

AN ACT

August 27, 1958
[H. R. 13450]
72 Stat. 864

Making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Supplemental Appropriation Act, 1959.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply regular and supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1959") for the fiscal year ending June 30, 1959, and for other purposes, namely:

* * *

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⊥CHAPTER VIII—DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

ROAD CONSTRUCTION AND MAINTENANCE (LIQUIDATION OF CONTRACT AUTHORIZATION)

For an additional amount for "Road construction and maintenance (liquidation of contract authorization)", $4,000,000, to remain available until expended.

* * *

Approved, August 27, 1958.

PUBLIC LAW 85-767

AN ACT

August 27, 1958
[H. R. 12776]

72 Stat. 885

To revise, codify, and enact into law, title 23 of the United States Code, entitled "Highways".

Title 23, U.S. Code. Codification and enactment into law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws relating to highways are revised, codified, and reenacted as Title 23, United States Code, "Highways" and may be cited as "Title 23, United States Code, § —", as follows:

TITLE 23—HIGHWAYS

* * *

CHAPTER 1—FEDERAL-AID HIGHWAYS

* * *

§ 101. DEFINITIONS AND DECLARATION OF POLICY

(a) As used in this title, unless the context requires otherwise—

* * *

⊥The term "Indian reservation roads and bridges" means roads and bridges that are located within an Indian reservation or that provide access to an Indian reservation or Indian land, and that are jointly designated by the Secretary of the Interior and the Secretary as a part of the Indian Bureau road system. ⊥1886

* * *

⊥§ 120. FEDERAL SHARE PAYABLE ⊥1898

(a) Subject to the provisions of subsections (d) and (h) of this section, the Federal share payable on account of any project, financed with primary, secondary, or urban funds, on the Federal-aid primary system and the Federal-aid secondary system shall not exceed 50 per centum of the cost of construction, except that in the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State, is of its total area.

(b) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project, financed with interstate funds on the Interstate System, authorized to be appropriated prior to June 29, 1956, shall not exceed 60 per centum of the cost of construction, except that in the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State, is of its total area. The provisions of subsection (a) of this section shall apply to any project financed with funds authorized by the provisions of section 2 of the Federal-Aid Highway Act of 1952. 66 Stat. 159.

(c) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project on the Interstate

70 Stat. 378.
23 U. S. C. 158

System provided for by funds made available under the provisions of section 108 (b) of the Federal-Aid Highway Act of 1956 shall be

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⊥increased to 90 per centum of the total cost thereof, plus a percentage of the remaining 10 per centum of such cost in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, equal to the percentage that the area of such lands in such State is of its total area, except that such Federal share payable on any project in any State shall not exceed 95 per centum of the total cost of such project.

(d) The Federal share payable on account of any project for the elimination of hazards of railway-highway crossings, as more fully described and subject to the conditions and limitations set forth in section 130 of this title, may amount to 100 per centum of the cost of construction of such projects, except that not more than 50 per centum of the right-of-way and property damage costs, paid from public funds, on any such project, may be paid from sums apportioned in accordance with section 104 of this title: *Provided*, That not more than 10 per centum of all the sums apportioned for all the Federal-aid systems for any fiscal year in accordance with section 104 of this title shall be used under this subsection.

(e) The Secretary may rely on a statement from the Secretary of the Interior as to the area of the lands referred to in subsections (a) and (b) of this section. The Secretary of the Interior is authorized and directed to provide such statement annually.

(f) The Federal share payable on account of any repair or reconstruction provided for by funds made available under section 125 of this title shall not exceed 50 per centum of the cost thereof.

(g) The Secretary is authorized to cooperate with the State highway departments and with the Department of the Interior in the construction of Federal-aid highways within Indian reservations and national parks and monuments under the jurisdiction of the Department of the Interior and to pay the amount assumed therefor from the funds apportioned in accordance with section 104 of this title to the State wherein the reservations and national parks and monuments are located.

(h) The Territory of Alaska shall contribute funds each fiscal year in an amount that shall be not less than 10 per centum of the Federal funds apportioned to it for such fiscal year, such contribution to be deposited in a special account in the Federal Treasury for use in conjunction with the Federal funds apportioned to the Territory. The Federal funds apportioned to the Territory of Alaska and the funds contributed by the Territory may be expended by the Secretary either directly or in cooperation with the Alaska Highway and Public Works Board and may be so expanded separately or in combination and without regard to the matching provisions of this chapter.

* * *

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⊥CHAPTER 2—OTHER HIGHWAYS

* * *

§ 202. APPORTIONMENT OR ALLOCATION

(a) On or before January 1 next preceding the commencement of each fiscal year, the Secretary shall apportion the sums authorized to be appropriated for such fiscal year for forest highways in the several States, according to the area and value of the land owned by the United States within the national forests therein, which the Secretary of Agriculture is directed to determine and certify to the Secretary from such information, sources, and departments as the Secretary of Agriculture may deem most accurate.

* * *

(c) Sums authorized to be appropriated for public lands highways shall be allocated by the Secretary among those States having unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations, on the basis of need in such States, respectively, as determined by the Secretary upon application of the State highway departments of the respective States. Preference shall be given to those projects which are located on a Federal-aid system.

§ 203. AVAILABILITY OF FUNDS

Funds now authorized for forest highways, forest development roads and trails, park roads and trails, parkways, Indian reservation roads, and public lands highways shall be available for contract upon apportionment, or a date not earlier than one year preceding the beginning of the fiscal year for which authorized if no apportionment is required. Any amount remaining unexpended for a period of two years after the close of the fiscal year for which authorized shall lapse. The Secretary of the Department charged with the administration of such funds is granted authority to incur obligations, approve projects, and enter into contracts under such authorizations and his action in doing so shall be deemed a contractual obligation of ⊥the United ⊥1907
States for the payment of the cost thereof and such funds shall be deemed to have been expended when so obligated. Any funds heretofore or hereafter authorized for any fiscal year for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be deemed to have been expended if a sum equal to the total of the sums authorized for such fiscal year and previous fiscal years since and including the fiscal year ending June 30, 1955, shall have been obligated. Any of such funds released by payment of final voucher or modification of project authorizations shall be credited to the balance of unobligated authorizations and be immediately available for expenditure.

* * *

⊥§ 208. INDIAN RESERVATION ROADS ⊥1908

(a) Funds available for Indian reservation roads and bridges shall be used to pay for the cost of construction and improvement thereof.

(b) The Secretary shall approve the location, type, and design of all projects for Indian reservation roads and bridges before any expenditures are made thereon and all construction thereof shall be under the general supervision of the Secretary.

(c) Indian labor may be employed in such construction and improvement under such rules and regulations as may be prescribed by the Secretary of the Interior.

* * *

⊥REPEAL OF PRIOR ACTS ⊥1919

SEC. 2. The following Acts and portion of Acts cited by reference to the Statutes at Large, except for the provisions and sections hereinafter excepted, are hereby repealed:

* * *

23. Act of September 5, 1940 (54 Stat., ch. 715, page 867).
24. Act of November 19, 1941 (55 Stat., ch. 474, page 765).

* * *

28. Act of December 20, 1944 (58 Stat., ch. 626, page 838).

* * *

32. Act of June 29, 1948 (62 Stat., ch. 732, page 1105).
33. Act of September 7, 1950 (64 Stat. 785).

* * *

36. Act of June 25, 1952 (66 Stat., ch. 462, page 158), except the following provisions:

* * *

(f) In subsection (c) of section 4 the following words: "For the construction, improvement, and maintenance of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1955.";

25 U. S. C. 318a.

* * *

(i) In section 8 the following words: "For the purpose of carrying out the provisions of section 10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations the sum of $2,500,000 for the fiscal year ending June 30, 1955, to remain available until expended."

(j) Section 10 to the first proviso.

⊥37. Act of May 6, 1954 (68 Stat., ch. 181, page 70), except the following provisions:

* * *

(e) Section 4 to the word "*Provided*";

(f) Section 5;

* * *

38. Title I of the Act of June 29, 1956 (70 Stat. 374), except the following provisions:

* * *

(c) Section 104 (a), section 104 (b) and section 104 (c), to the word "*Provided*";

* * *

40. Act of April 16, 1958 (72 Stat. 89) except the following provisions:

* * *

(b) Section 2;

* * *

(e) Section 4 (a), section 4 (b) and section 4 (c) to the word "*Provided*";

(f) Section 5;

* * *

Approved, August 27, 1958.

PUBLIC LAW 85-770

AN ACT

August 27, 1958
[S. 2592]

72 Stat. 927

To amend the law relating to the execution of contracts with Indian tribes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2103 of the Revised Statutes (25 U. S. C. 81), is amended (i) by deleting from the paragraph numbered "Second" the words "be executed before a judge of the court of record, and", and (ii) by deleting all of the paragraph numbered "Sixth".

Approved, August 27, 1958.

PUBLIC LAW 85-771

AN ACT

August 27, 1958
[S. 2517]

72 Stat. 928

To amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2275 of the Revised Statutes, as amended (43 U. S. C. 851), is amended to read as follows:

Public lands. Grants.

"SEC. 2275. Where settlements with a view to preemption or homestead have been, or shall hereafter be made, before the survey of the lands in the field, which are found to have been made on sections sixteen or thirty-six, those sections shall be subject to the claims of such settlers; and if such sections or either of them have been or shall be granted, reserved, or pledged for the use of schools or colleges in the State or Territory in which they lie, other lands of equal acreage are hereby appropriated and granted, and may be selected, in accordance with the provisions of section 2276 of the Revised Statutes, by said State or Territory, in lieu of such as may be thus taken by preemption or homestead settlers. And other lands of equal acreage are also hereby appropriated and granted and may be selected, in accordance with the provisions of section 2276 of the Revised Statutes, by said State or Territory where sections sixteen or thirty-six are, prior to survey, included within any Indian, military, or other reservation, or are, prior to survey, otherwise disposed of by the United States: *Provided,* That the selection of any lands under this section in lieu of sections granted or reserved to a State or Territory shall be a waiver by the State or Territory of its right to the granted or reserved sections. And other lands of equal acreage are also hereby appropriated and granted, and may be selected, in accordance with the provisions of section 2276 of the Revised Statutes, by said State or Territory to compensate deficiencies for school purposes, where sections sixteen or thirty-six are fractional in quantity, or where one or both are wanting by reason of the township being fractional, or from any natural cause whatever. And it shall be the duty of the Secretary of the Interior, without awaiting the extension of the public surveys, to ascertain and determine, by protraction or otherwise, the number of townships that will be included within such Indian, military, or other reservations, and thereupon the State or Territory shall be entitled to select indemnity lands to the extent of section for section in lieu of sections therein which have been or shall be granted, reserved, or pledged; but such selections may not be made within the boundaries of said reservation: *Provided, however,* That nothing herein contained shall prevent any State or Territory from awaiting the extinguishment of any such military, Indian, or other reservation and the restoration of the lands therein embraced to the public domain and then taking the sections sixteen and thirty-six in place therein."

Deficiencies in grants to State by reason of settlements, etc.

SEC. 2. Section 2276 of the Revised Statutes (43 U. S. C., sec. 852) is amended to read as follows:

"SEC. 2276. (a) The lands appropriated by section 2275 of the Revised Statutes, shall be selected from any unappropriated, surveyed public lands within the State or Territory where such losses or deficiencies occur subject to the following restrictions:

Selections. 43 U. S. C. 851.

"(1) No lands mineral in character may be selected by a State or Territory except to the extent that the selection is being made as indemnity for mineral lands lost to the State or Territory because of appropriation prior to survey;

Restrictions.

⊥"(2) No lands on a known geologic structure of a producing oil or gas field may be selected except to the extent that the selection is being made as indemnity for lands on such a structure lost to the State or Territory because of appropriation prior to survey; and

⊥1929

"(3) Lands subject to a mineral lease or permit may be selected, but only if all of the lands subject to that lease or permit are selected and if none of the lands subject to that lease or permit are in a producing or producible status; where lands subject to a mineral lease or permit

are selected, the State or Territory shall succeed to the position of the United States thereunder.

School lands.

"(b) Where the selections are to compensate for deficiencies of school lands in fractional townships, such selections shall be made in accordance with the following principles of adjustment, to wit: For each township, or fractional township, containing a greater quantity of land than three-quarters of an entire township, one section; for a fractional township, containing a greater quantity of land than one-half, and not more than three-quarters of a township, three-quarters of a section; for a fractional township, containing a greater quantity of land than one-quarter, and not more than one-half of a township, one-half section; and for a fractional township containing a greater quantity of land than one entire section and not more than one-quarter of a township, one-quarter section of land: *Provided*, That the States or Territories which are, or shall be entitled to both the sixteenth and thirty-sixth sections in place, shall have the right to select double the amounts named, to compensate for deficiencies of school land in fractional townships.

Revocation.

"(c) Notwithstanding the provisions of the Act of September 27, 1944 (58 Stat. 748), as amended (43 U. S. C., sec. 282) on the revocation not later than 10 years after the date of approval of this Act, of any order of withdrawal, in whole or in part, the order or notice taking such action shall provide for a period of not less than six months before the date on which it otherwise becomes effective in which the State or Territory in which the lands are situated shall have a preferred right of application for selection under this section, subject to the requirements of existing law, except as against the prior existing valid settlement rights and preference rights conferred by existing law other than the said Act of September 27, 1944, or as against equitable claims subject to allowance and confirmation, and except where a revocation of an order of withdrawal is made in order to assist in a Federal land program.

"Unappropriated public lands."

"(d) (1) The term 'unappropriated public lands' as used in this section shall include, without otherwise affecting the meaning thereof, lands withdrawn for coal, phosphate, nitrate, potash, oil, gas, asphaltic minerals, oil shale, sodium, and sulfur, but otherwise subject to appropriation, location, selection, entry, or purchase under the nonmineral laws of the United States; and lands withdrawn by Executive Order Numbered 5327, of April 15, 1930, if otherwise available for selection.

Determination of mineral lands.

"(2) The determination, for the purposes of this section of the mineral character of lands lost to a State or Territory shall be made as of the date of application for selection and upon the basis of the best evidence available at that time."

38 Stat. 1215. Reservation of homestead lands.

SEC. 3. Section 1 of the Act of March 4, 1915, as amended (48 U. S. C., sec. 353), is further amended by the deletion of the first proviso and the substitution of the following in its place: "*Provided*, That where settlement with a view to homestead entry has been made upon any part of the sections reserved before the survey thereof in the field, or where the same may have been sold or otherwise appropriated by or under the authority of any Act of Congress or included ⊥within any Indian, military, or other reservation or are wanting or fractional in quantity, other lands, nonmineral in character, may be designated and reserved in lieu thereof in the manner provided by sections 2275 and 2276 of the Revised Statutes: *Provided further*, That the Territory may select mineral lands (including lands on the known geologic structure of a producing oil or gas field and lands subject to a mineral lease or permit) to be reserved for it to the same extent as a State may select such lands to be granted to it under subsection (a) of section 2276 of the Revised Statutes (43 U. S. C., sec. 852):".

1930

43 U. S. C. 851, 852

Approved August 27, 1958.

PUBLIC LAW 85-773

AN ACT

August 27, 1958
[S. 2530]

72 Stat. 931

To designate the beneficiary of the equitable title to land purchased by the United States and added to the Rocky Boy's Indian Reservation, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the land acquired by the United States pursuant to section 5 of the Act of June 18, 1934 (48 Stat. 984), title to which was conveyed to the United States of America in trust for the Chippewa, Cree, and other Indians of Montana, and thereafter added to the Rocky Boy's Indian Reservation, Montana, by proclamation signed by the Assistant Secretary of the Interior on November 26, 1947, is hereby designated for the exclusive use of the members of the Chippewa Cree Tribe of the Rocky Boy's Reservation, Montana

Rocky Boy's Indian Reservation, Mont.
25 U. S. C. 465

Approved, August 27, 1958.

PUBLIC LAW 85-780

AN ACT

August 27, 1958
[S. 3203]

72 Stat. 935

Relating to minerals on the Wind River Indian Reservation in Wyoming, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the effective date of this Act, all of the right, title, and interest of the United States in all minerals, including oil and gas, the Indian title, to which was extinguished by the Act of August 15, 1953 (67 Stat. 592; Public Law 284, Eighty-third Congress, first session), entitled "An Act to provide compensation to the Shoshone and Arapahoe Tribes of Indians for certain lands of the Riverton reclamation project within the ceded portion of the Wind River Indian Reservation, and for other purposes", is hereby declared to be held by the United States in trust for the Shoshone and Arapahoe Tribes and, notwithstanding any other provision of law, said minerals, including oil and gas, subject to the provisions of section 2 of this Act, shall be administered and leased in accordance with the provisions of the Act of May 11, 1938 (ch. 198, 52 Stat. 347). The gross proceeds received by the United States from such minerals either before or after the date of this Act shall be deposited to the credit of the Shoshone and Arapahoe Tribes in accordance with the provisions of the Act of May 19, 1947 (61 Stat. 102), as amended, and any of such gross proceeds that have been credited to miscellaneous receipts in the Treasury of the United States in accordance with the provisions of section 5 of the Act of August 15, 1953 (67 Stat. 592), shall be transferred on the books of the Treasury to the credit of such tribes.

Wind River Indian Reservation, Wyo.
Minerals.

25 U. S. C. 396a-396f and note.

SEC. 2. Notwithstanding any other provision of law, (1) all mineral leases, including oil and gas leases, covering any of the minerals referred to in section 1 hereof, which have heretofore been issued by the Secretary of the Interior on a noncompetitive basis, shall be subject to renewal at the end of the primary five-year term thereof for a term that extends to a date that is five years from the date of this Act and shall not be subject to renewal or further extension except in any case where, at the expiration of said extended term, oil or gas is being produced under the lease in paying quantities, and (2) the Secretary of the Interior shall process in accordance with the Mineral Leasing Act of February 25, 1920 (ch. 85, 41 Stat. 437), as amended, and the regulations issued thereunder, all oil and gas lease offers covering any of the oil and gas referred to in section 1 hereof which were filed on or before December 31, 1957: *Provided,* That any oil and gas lease issued pursuant to such lease offers shall be for a single term of five years commencing with the effective date of the lease and shall not be subject to renewal or extension except in any case where

Leases, renewal.

30 U. S. C. 181 *et seq.*

at the expiration of said five-year term, oil or gas is being produced under the lease in paying quantities.

Any oil or gas lease referred to in subparagraph (1) of this section and any oil or gas lease which may hereafter be issued pursuant to the lease offers referred to in subparagraph (2) of this section shall be subject to the provisions of section 1 (1) of the Act of July 29, 1954 (ch. 644, 68 Stat. 583), amendatory of the second paragraph of section 17 of the Mineral Leasing Act of February 25, 1920 (ch. 85, 41 Stat. 443), as amended.

30 U. S. C. 226

Approved, August 27, 1958.

PUBLIC LAW 85-794

AN ACT

August 28, 1958
[S. 2922]
72 Stat. 958

To authorize per capita payments to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation, and for other purposes.

Red Lake Band of Chippewa Indians.
Per capita payments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. 137), to the credit of the Red Lake Indians in Minnesota, and to pay therefrom $100 to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living at the date of enactment of this Act. Such payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe.

SEC. 2. No money paid to Indians under this Act shall be subject to any lien or claim of attorneys, or other persons.

49 Stat. 620.
53 Stat. 1379, 1397.

SEC. 3. Payments made under his Act shall not be held to be "other income and resources" as that term is used in sections 2 (a) (7), 402 (a) (7), and 1002 (a) (8) of the Social Security Act, as amended (U. S. C., 1946 edition, title 42, secs. 302(a)(7), 602(a)(7), and 1202(a)(8)).

SEC. 4. The nineteenth paragraph of section 9 of the Act of May 18, 1916 (39 Stat. 123, 138), is amended to read as follows:

Net proceeds.

"After the payment of all expenses connected with the administration of these lands as herein provided, the net proceeds therefrom shall be covered into the Treasury of the United States to the credit of the Red Lake Indians and draw interest at the rate of 4 per centum per annum. Any part of such fund or the interest thereon that is in excess of reserve and operating requirements, as determined by the Secretary of the Interior, may be distributed per capita to the members of the Red Lake Band upon request of the tribal council and approval by the Secretary."

SEC. 5. Paragraph seventeen of section 9 of the Act of May 18, 1916 (39 Stat. 123, 137), as amended by the Act of August 3, 1956 (70 Stat. 982), is amended by deleting from clause (a) thereof ", with the consent of the tribal council,".

Approved, August 28, 1958.

PUBLIC LAW 85-801

AN ACT

August 28, 1958
[H. R. 9239]
72 Stat. 968

To provide for the construction of an irrigation distribution system and drainage works for restricted Indian lands within the Coachella Valley County Water District in Riverside County, California, and for other purposes.

Restricted Indian lands.
Irrigation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of August 25, 1950 (64 Stat. 470), is amended to read as follows:

"(a) The Secretary of the Interior is hereby authorized and directed to—

"(1) designate the trust or restricted Indian lands on the Cabazon, Augustine, and Torres-Martinez Indian Reservations which may be irrigated from distribution facilities administered by the Coachella Valley County Water District in Riverside County, California;

"(2) construct an irrigation distribution system and drainage works within improvement district numbered 1 of the Coachella Valley County Water District that connect with the distribution system and drainage works now administered by Coachella Valley County Water District and that will irrigate and drain the Indian lands designated therein pursuant to this section: *Provided,* That such irrigation and distribution system and drainage works shall be constructed on the Torres-Martinez Indian Reservation only upon the request of the Indian owners of the lands to be irrigated thereby and a determination by the Secretary of the Interior that the construction of the irrigation distribution system and drainage works is economically feasible:

"(3) contract with the Coachella Valley County Water District, prior to the construction of the irrigation distribution system and drainage works authorized by this section, for engineering and supervision services in connection with such construction, and for the care, operation, and maintenance thereof after construction. Such contract shall provide, among other things, that—

"(i) the irrigation distribution system and drainage works authorized to be constructed by this section, or any major part thereof, when completed and ready for use as determined by the Secretary, shall be turned over to the district for care, operation, and maintenance and the district shall assume the care, operation, and maintenance thereof upon sixty days written request therefor made by the Secretary:

"(ii) water shall be delivered to the lands within improvement district numbered 1 designated pursuant to this section, through the irrigation distribution system authorized to be constructed, under the same rules and regulations, to the same extent, and for the same charges as water is delivered by the district to other lands similarly located within the district. As long as said Indian lands for which an irrigation distribution system is constructed pursuant to this section remain in a trust or restricted status the Secretary shall guarantee payment to the district for all such charges for the delivery of water, including standby charges, as well as payment of an amount of money during each year equal to the amount which would be levied by or on behalf of the district in the form of taxes on said lands if said lands were on the assessment rolls of Riverside County;

⊥"(iii) one-half of all moneys received by the district for the ⊥1969
delivery of water to the designated lands (not including gate and other service charges) shall be paid annually by the district to the United States until the United States has been reimbursed in full for the actual costs incurred in the construction of the distribution system and drainage works authorized by this section;

"(iv) article 21 (access to books and records), article 23 (disputes or disagreements), article 35 (remedies under contract not exclusive), article 36 (interest in contract not transferable), article 39 (officials not to benefit), and article 41 (representative of the Secretary), of that certain contract between the United States and the district dated December 22, 1947, entitled 'Contract for Construction of Distribution System, Protective Works and Drainage Works', shall be

incorporated by reference, haec verba, into the contract authorized by this section as a part thereof.

Appropriation.

"(b) There are authorized to be appropriated such amounts as may be necessary for the construction of the distribution system and drainage works authorized by this section and for making the payments guaranteed pursuant to this section. There is hereby created a recordable first lien against said Indian lands for any amounts paid by the United States to the district pursuant to such guaranty, and such lien shall be enforced at the time the land passes out of Indian ownership. The provisions of the Act of July 1, 1932, with respect to the assessment and collection of irrigation construction costs shall not apply to such lands.

Lien.

47 Stat. 564.

"(c) The Secretary of the Interior is authorized to take, use, and convey to the Coachella Valley County Water District, or other governmental agency, such rights-of-way across trust or restricted Indian lands as in his discretion may be needed for the construction, care, operation, and maintenance of the irrigation distribution system and drainage works authorized by this section or the irrigation distribution system and drainage works now administered by the District, and for the construction or improvement of roads necessary to serve the Augustine, Cabazon, and Torres-Martinez Reservations. The Indian landowner shall be paid reasonable compensation for such rights-of-way. The rights-of-way needed for the drainage works now administered by the district shall be taken and conveyed to the district only after the district has paid to the Indian landowner reasonable compensation therefor."

SEC. 2. Section 7 of the Act of August 25, 1950 (64 Stat. 470), is amended to read as follows: In clause "(a)" delete "within three years from the date of approval of this Act".

SEC. 3. Subsections (a) and (c) of section 8 of the Act of August 25, 1950 (64 Stat. 470), are amended to read as follows:

"(a) Any trust or restricted Indian land, whether individually or tribally owned, may be leased in accordance with the provisions of the Act of August 9, 1955 (69 Stat. 539).

25 U.S.C. 415–415d.

"(c) If the Secretary of the Interior determines that beneficial use of any trust or restricted lands is not being made by the owner or owners thereof, the Secretary is authorized to lease such lands for the benefit of the owner or owners."

Approved, August 28, 1958.

PUBLIC LAW 85–806

August 28, 1958
[S. 2594]
72 Stat. 974

AN ACT

To transfer certain property and functions of the Housing and Home Finance Administrator to the Secretary of the Interior, and for other purposes.

Certain Indian housing Authority of Department of Interior

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest, including contractual rights and reversionary interests, held by the Federal Government in and with respect to project ALAS–50080 heretofore administered by the Housing and Home Finance Administrator, are hereby transferred to the Secretary of the Interior. All of the powers, duties, and responsibilities of the Housing and Hone Finance Administrator under the purchase and sale contract executed on October 1, 1946, by the United States, represented by the Acting Commissioner of the Federal Public Housing Authority, and by the Hoonah Indian Association, and transferred to the Housing and Home Finance Administrator by Reorganization Plan Numbered 3 of 1947 (61 Stat. 954), are hereby transferred to the Secretary of the Interior. There is also hereby transferred out of the fund entitled "Office of the Administrator revolving fund (liquidating programs)" established in the Office of the Administrator, Housing and Home Finance Agency,

5 U.S.C. 133y-16 note.

under title II of the Independent Offices Appropriation Act, 1955 (68 Stat. 272, 295), as amended, an amount equal to gross receipts from the project transferred by this section. 12 U. S. C. 1701g-5

SEC. 2. For the purpose of liquidating such project the Secretary of the Interior is authorized, within the limits of funds available under section 3 of this Act:

(a) To make any surveys of the land on which the project is located that may be needed to vest titles in the individual purchasers of housing units, or to bring the housing project within the Hoonah townsite.

(b) To finance transfers to the individual purchasers of housing units of any interests in the lands on which the housing units are located that may be vested in others.

(c) To refund to individual Indians any payments made by them for housing accommodations which they did not receive.

(d) To pay to individual Indians the fair value, as determined by the Secretary of the Interior, of any land which they conveyed to the Hoonah Indian Association for the use of the project in return for housing accommodations which they did not receive.

(e) To make any repairs or improvements to individual housing units that may be needed to permit the disposition of such units to individual Indians.

(f) To acquire by purchase or eminent domain any lands or interests in lands that are needed for streets and alleys within the project, and to dedicate such lands for public use; and to acquire by eminent domain any interests in land the acquisition of which is authorized to be financed under subsection (b) of this section, and to convey such interests to the purchaser of the individual housing units involved.

(g) To allocate equally to the individual housing units the $240,000 purchase price which the Hoonah Indian Association agreed to pay to the United States, to credit against the allocated purchase price for each unit all payments on principal heretofore made with respect to such unit, and to cancel any portion of the remainder of the debt on any unit that exceeds the value of the unit (as determined by the Secretary) decreased by the sum of all payments on principal heretofore made with respect to such unit.

⊥(h) To release from the mortgage securing the debt of the Hoonah Indian Association any individual housing unit upon payment of the uncanceled portion of the debt allocated to it. ⊥1975

SEC. 3. All funds transferred to the Secretary of the Interior pursuant to section 1 of this Act and all funds hereafter collected from the project transferred by section 1 shall be established in a revolving fund in the Department of the Interior and may be used to carry out the purposes of this Act, including administrative expenses. Revolving fund

Approved, August 28, 1958.

PUBLIC LAW 85-816

AN ACT

August 28, 1958
[S. 4167]
72 Stat. 981

To authorize the lease of Papago tribal land to the National Science Foundation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Papago Indian Tribe, with the approval of the Secretary of the Interior, is authorized to lease to the National Science Foundation, for the construction of an astronomical observatory, approximately two thousand and four hundred acres, more or less, of tribal land on the Papago Indian Reservation, and to grant to the National Science Foundation, or to an agency designated by it, permanent rights of way across the Papago Indian Reservation for roads and utilities needed in connection with such observatory. The term of the lease shall be for as

National Science Foundation.
Lease of Papago tribal land.

Limitation

long as the property is used for scientific purposes and may provide for an initial payment of not to exceed $25,000 in addition to annual rental fees. The lease shall also prescribe the terms and conditions under which the tribe may jointly use that portion of the leased area not specifically needed for the observatory.

SEC. 2. The National Science Foundation is hereby authorized to expend appropriated funds for construction on the leased land described above, on behalf of the Federal Government, an optical astronomical observatory, including telescopes, administration buildings and other structures deemed necessary and desirable by the Foundation for creation of a scientific facility appropriate for use by the Nation's astronomers.

Approved, August 28, 1958.

PUBLIC LAW 85-857

September 2, 1958
[H. R. 9700]
72 Stat. 1105

AN ACT

To consolidate into one Act all of the laws administered by the Veterans' Administration, and for other purposes.

Veterans' Benefits.
Enactment as Title 38, U.S. Code.
Ante, p. 936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws relating to veterans' benefits are revised, codified, and enacted as title 38, United States Code, "Veterans' Benefits", as follows:

TITLE 38—VETERANS' BENEFITS

* * *

PART II
GENERAL BENEFITS

* * *

⊥1133 **⊥CHAPTER 15—PENSION FOR NON-SERVICE-CONNECTED DISABILITY OR DEATH OR FOR SERVICE**

* * *

⊥1134 **⊥SUBCHAPTER I—GENERAL**

§ 501. DEFINITIONS

For the purposes of this chapter—

(1) The term "Indian Wars" means the campaigns, engagements, and expeditions of the United States military forces against Indian tribes or nations, service in which has been recognized heretofore as pensionable service.

* * *

⊥1135 **⊥SUBCHAPTER II—VETERANS' PENSIONS**

SERVICE PENSION

* * *

§ 511. INDIAN WAR VETERANS

(a) The Administrator shall pay to each veteran of the Indian Wars who meets the service requirements of this section a pension at the following monthly rate:

(1) $101.59; or

(2) $135.45 if the veteran is in need of regular aid and attendance.

(b) A veteran meets the service requirements of this section if he served in one of the Indian Wars—

(1) for thirty days or more; or

(2) for the duration of such Indian War;
in any military organization, whether or not such service was the result of regular muster into the service of the United States, if such service was under the authority or by the approval of the United States or any State.

* * *

⊥SUBCHAPTER III—PENSIONS TO WIDOWS AND CHILDREN ⊥1137

WARS BEFORE WORLD WAR I

* * *

§ 534. WIDOWS OF INDIAN WAR VETERANS

(a) The Administrator shall pay to the widow of each Indian War veteran who met the service requirements of section 511 of this title a pension at the following monthly rate:
(1) $40.64 if she is below seventy years of age; or
(2) $65 if she is seventy years of age or older;
unless she was the wife of the veteran during his service in one of the Indian Wars, in which case the monthly rate shall be $75.

(b) If there is a child of the veteran, the rate of pension paid to the widow under subsection (a) shall be increased by $8.13 per month for each such child.

c) No pension shall be paid to a widow of a veteran under this section unless she was married to him—
(1) before March 4, 1917; or
(2) for five or more years; or
(3) for any period of time if a child was born of the marriage.

§ 535. CHILDREN OF INDIAN WAR VETERANS

Whenever there is no widow entitled to pension under section 534 of this title, the Administrator shall pay to the children of each Indian War veteran who met the service requirements of section 511 of this title a pension at the monthly rate of $73.13 for one child, plus $8.13 for each additional child, with the total amount equally divided.

* * *

⊥AMENDMENTS AND REPEALS ⊥1264

AMENDMENTS

SEC. 13.

* * *

⊥(n) The Act of August 4, 1947 (61 Stat. 747; 25 U. S. C. 331 note) is amended (1) by inserting "or chapter 37 of title 38, United States Code" immediately after "Servicemen's Readjustment Act of 1944" and (2) by inserting "or chapter 37" immediately after "such title III". ⊥1266

* * *

⊥REPEALS ⊥1268

SEC. 14. The following provisions of law are repealed, except with respect to rights and duties that matured, penalties, liabilities, and forfeitures that were incurred, and proceedings that were begun, before January 1, 1959:

* * *

⊥(117) The Veterans' Benefits Act of 1957 (except title XXII) (38 U. S. C. 2101–4008), except that the repeal of sections 235 and 1413 (b) and (c) of such Act shall not take effect in such manner as to impair the operation of the deferred repeal of such sections as provided in section 21 of the Government Employees Training Act (72 Stat. 338). ⊥1274

71 Stat. 88.
Ante, pp. 608, 624.

* * *

Approved, September 2, 1958.

PUBLIC LAW 85-859

September 2, 1958
[H. R. 7125]
72 Stat. 1275

AN ACT

To make technical changes in the Federal excise tax laws, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE, ETC.

Excise Tax Technical Changes Act of 1958.

(a) SHORT TITLE.—This Act may be cited as the "Excise Tax Technical Changes Act of 1958".

(b) AMENDMENT OF 1954 CODE.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

(c) EFFECTIVE DATE.—Except as otherwise provided, the amendments and repeals made by title I of this Act shall take effect on the first day of the first calendar quarter which begins more than 60 days after the date on which this Act is enacted. For effective dates of amendments made by title II of this Act, see section 210.

TITLE I—MISCELLANEOUS EXCISE TAXES

‡1277

* * *

‡PART II
MANUFACTURERS EXCISE TAXES

* * *

‡1282

‡SEC. 119. UNIFORM SYSTEM OF EXEMPTIONS; REGISTRATION; ETC.

26 U. S. C. 4061-4226.

(a) IN GENERAL.—Chapter 32 (manufacturers excise taxes) is amended by striking out sections 4220 to 4225, inclusive, and by inserting after section 4219 the following:

"SUBCHAPTER G—EXEMPTIONS, REGISTRATION, ETC.

* * *

‡1286

‡"SEC. 4225. EXEMPTION OF ARTICLES MANUFACUTRED OR PRODUCED BY INDIANS.

"No tax shall be imposed under this chapter on any article of native Indian handicraft manufactured or produced by Indians on Indian reservations, or in Indian schools, or by Indians under the jurisdiction of the United States Government in Alaska."

* * *

Approved, September 2, 1958.

PUBLIC LAW 85-860

September 2, 1958
[S. 2117]
72 Stat. 1436

AN ACT

Directing the Secretary of the Army to transfer certain buildings to the Crow Creek Sioux Indian Tribe.

Crow Creek Sioux Indian Tribe.
Transfer of buildings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to transfer to the Crow Creek Sioux Indian Tribe, without compensation, title to those buildings which were a part of the Government improvements and facilities acquired by the Corps of Engineers on the original site of the Crow Creek Agency at Fort Thompson, South Dakota, within the taking area of the Fort Randall Dam and Reservoir project, and which were released by the Corps of Engineers to the Crow Creek Sioux Indian Tribe.

SEC. 2. The Secretary of the Army shall reimburse the Crow Creek Sioux Indian Tribe in the amount of any money received by him from the said tribe as payment for the buildings referred to in the first section of this Act: *Provided*, That such reimbursement shall not exceed the sum of $6,000. Reimbursement

Approved, September 2, 1958.

PUBLIC LAW 85-863

AN ACT

September 2, 1958
[H. R. 12858]
72 Stat. 1572

Making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1959, for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, and for other purposes, namely: Public Works Appropriation Act, 1959

TITLE I—CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

* * *

⊥CONSTRUCTION, GENERAL ⊥1573

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by law; detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction); and not to exceed $1,600,000 for transfer to the Secretary of the Interior for conservation of fish and wildlife as authorized by law; to remain available until expended, $603,246,500, of which $273,000 shall be available for the acquisition of telephone facilities, and for the readjustment of service in the vicinity of Tuttle Creek Reservoir in Kansas: *Provided*, That funds appropriated herein may at the discretion and under the direction of the Chief of Engineers be used in payment to the accounts of the Confederated Tribes of the Yakima Reservation, the Confederated Tribes of the Warm Springs Reservation, the Confederated Tribes of the Umatilla Reservation, or other recognized Indian tribes, and those individual Indians not enrolled in any recognized tribe, but who through domicile at or in the immediate vicinity of the reservoir and through custom and usage are found to have an equitable interest in the fishery, all of whose fishing rights and interests will be impaired by the Government incident to the construction, operation, or maintenance of the Dalles Dam, Columbia River, Washington and Oregon, and must be subordinated thereto by agreement or litigation: *Provided further*, That no part of this appropriation shall be used for projects not authorized by law or which are authorized by a law limiting the amount to be appropriated therefor, except as may be within the limits of the amount now or hereafter authorized to be appropriated: *Provided further*, That there shall be credited against the local contribution requirement on the Canton, Missouri, project a sum equal to the total cost of the improvements contributing to the project which have already been constructed by the city of Canton: *Provided further*, That none of the funds appropriated for "Construction, General", in this Act shall be used on the project "Missouri River, Kansas City to mouth", for any purpose other than bank stabilization work. Payment to Indians. Restrictions.

* * *

Approved, September 2, 1958.

September 2, 1958
[S. 3754]
72 Stat. 1686

PUBLIC LAW 85-868

AN ACT

To provide for the exchange of lands between the United States and the Navajo Tribe, and for other purposes.

Indians.
Navajo Tribe
Land exchange.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior shall, in consideration of and as just compensation for the transfer made by section 2 of this Act as well as for the use and occupancy of the lands therein described under terms of the right-of-way granted March 22, 1957, by the Secretary pursuant to the Act of February 5, 1948 (62 Stat. 17), transfer to the Navajo Tribe so much of the block of public lands (exclusive of the minerals therein, but inclusive of all range improvements constructed thereon) described in subsection (c) of this section, as shall constitute a reasonably compact area equal in acreage to the lands transferred to the United States under section 2, and the lands so transferred shall constitute a part of the Navajo Reservation and shall be held by the United States in trust for the Navajo Tribe and shall be subject to all laws and regulations applicable to that reservation. The owners of range improvements of a permanent nature placed, under the authority of a permit from or agreement with the United States, on lands transferred pursuant to this section shall be compensated for the reasonable value of such improvements, as determined by the Secretary out of appropriations available for the construction of the Glen Canyon unit, Colorado River storage project. To the extent that the Secretary is unable to transfer, from the lands described in subsection (c), lands equal in acreage to the lands transferred to the United States under section 2, because of the existence of valid rights in other parties than the United States (other than the rights described in subsection (d) of this section), he shall transfer to the Navajo Tribe such other available public lands (exclusive of the minerals therein but inclusive of all range improvements thereon) in reasonable proximity to the Navajo Reservation and to the lands described in subsection (c) as the tribe, with the concurrence of the Secretary, may select and as may be necessary to transfer to the tribe equal acreage in exchange for the lands transferred under section 2, and those lands so transferred shall be treated in the same manner as other lands transferred pursuant to this section.

Mineral activities.

(b) Subject to valid, existing rights, in addition to other requirements under applicable laws and regulations, mineral activities affecting the land transferred pursuant to this section shall be subject to such regulations, which may include, among others, a requirement for the posting of bond or other undertaking, as the Secretary may prescribe for protection of the interests of the Indians. Patents issued with respect to mining claims on the lands transferred pursuant to this section shall be limited to the minerals only, and for a period of ten years after the effective date of this Act, none of the lands described in subsection (c) of this section shall be open to location and entry under the general mining laws.

(c) The block of public lands (which lies to the north and west of the portion of the present Navajo Reservation in San Juan County, Utah, and abuts the reservation's boundaries within the county) from which the transfer under this section is to be made, is described as follows:

⊥1687

⊥SALT LAKE MERIDIAN

Township 38 south, range 23 east: Sections 26, 33, 34, and 35.

Township 38 south, range 24 east: Section 28; section 29, east half; sections 31, 33, 34, and 35.

Township 39 south, range 22 east: Sections 13, 24, 25, and 35, those portions lying east of Recapture Creek.

Township 39 south, range 23 east: Sections 1, 3, 4, and 5; sections 8 to 15, inclusive; section 17; sections 18 and 19, those portions lying east of Recapture Creek; sections 20 to 31, inclusive; sections 33, 34, and 35.

Township 39 south, range 24 east: Section 1; sections 3 to 15, inclusive; sections 17 to 24, inclusive; sections 26 and 27, those portions lying north and west of the present Navajo Indian Reservation; sections 28, 29, 30, 31, and 33; section 34, that portion lying north and west of the present Navajo Indian Reservation.

Township 39 south, range 25 east: Sections 5, 6, 7, 8, and 18.

Township 40 south, range 22 east: Section 1; sections 11, 12, 13, 23, 24, 25, and 26, those portions lying east of Recapture Creek and north of the present Navajo Indian Reservation.

Township 40 south, range 23 east: Section 1; sections 3 to 15, inclusive; sections 17 to 23, inclusive; section 26; sections 24, 25, 27, 28, 29, 30, 34, and 35, those portions lying north and west of the present Navajo Indian Reservation.

Township 40 south, range 24 east: Sections 3, 4, 5, those portions lying north and west of the present Navajo Indian Reservation; section 6; sections 7, 8, 18, and 19, those portions lying north and west of the present Navajo Indian Reservation.

(d) The transfer hereinabove provided for shall also be deemed to constitute full and complete satisfaction of any and all rights which are based solely upon Indian use and occupancy or possession claimed by or on behalf of any individual members of the Navajo Tribe in their individual capacities or any groups or identifiable bands thereof to any and all public lands in San Juan County, Utah, outside the exterior boundaries of the Navajo Indian Reservation as the same are described in:

(1) The Act of March 1, 1933 (ch. 160, 47 Stat. 1418); 25 U. S. C. 337a, 43 U. S. C. 190a

(2) Executive Order 324A of May 15, 1905;

(3) Executive order of May 17, 1884; and

all such rights to such lands are hereby extinguished from and after January 1, 1963. Subject to the provision of section 2 of this Act, and subject to valid existing rights, all public lands of the United States within said exterior boundaries of said reservation are hereby declared to be held in trust for the benefit of the Navajo Tribe of Indians. The term "public lands" as used herein shall be deemed to include but in no way to be limited to lands and the mineral deposits which originally may have been excluded from said reservation by reason of settlement or occupancy or other valid rights then existing, but since relinquished, extinguished, or otherwise terminated. The tribe is hereby authorized to adopt such rules and regulations as it deems appropriate, with the approval of the Secretary, for residence and use of the lands transferred pursuant to this section: *Provided*, That the tribal council shall give preference until January 1, 1963, in granting residence and use rights to: (1) those Navajos who, prior to the effective date of this Act, have used or occupied the transferred lands and (2) those Navajos who, prior to the effective date of this Act, have used or occupied other public lands in San Juan County, Utah.

⊥(e) Upon application of the Navajo Tribe, the Secretary shall grant ⊥1688 to the tribe, to be held in trust by the United States for use of tribal members grazing livestock upon the lands transferred under this section, a nonexclusive easement, of suitable width and location as he determines, for a livestock driveway across the public lands in sections 21, 22, 23, and 24, township 39 south, range 22 east, and in section 19, township 39 south, range 23 east, Salt Lake meridian, to connect with United States Highway Numbered 47. Use of said nonexclusive easement shall be in accordance with regulations prescribed by the

Secretary, and future uses and dispositions of the public lands affected shall be subject to said easement.

Highway rights-of-way

(f) The transfer of lands to the Navajo Tribe, as provided in this section, shall not affect the status of rights-of-way for public highways traversing such lands, which rights-of-way shall remain available for public use, including the movement of livestock thereon.

(g) The Secretary of the Interior shall compensate persons whose grazing permits, licenses or leases covering lands transferred to the Navajo Tribe pursuant to this section are canceled because of such transfer. Such compensation shall be determined in accordance with the standard prescribed by the Act of July 9, 1942, as amended (43 U. S. C. 315q). Such compensation shall be paid from appropriations available for the construction of the Glen Canyon unit, Colorado River storage project.

SEC. 2. (a) There is hereby transferred to the United States all the right, title, and interest of the Navajo Tribe in and to the lands (exclusive of the minerals therein) described in subsection (b) of this section. These lands shall no longer be "Indian country" within the meaning of title 18, United States Code, section 115, and they shall have the status of public lands withdrawn and being administered pursuant to the Federal reclamation laws and shall be subject to all laws and regulations governing the use and disposition of public lands in that status. The rights herein transferred shall not extend to the utilization of the lands hereinafter described under the heading "parcel B" for public recreational facilities without the approval of the Navajo Tribal Council. No permit, lease, license, or other right covering the exploration for or extraction of the minerals herein reserved to the tribe shall be granted or exercised by or on behalf of the tribe except under such conditions and with such restrictions, limitations, or stipulations as the Secretary deems appropriate, in connection with the Glen Canyon unit, to protect the interests of the United States and of its grantees, licensees, transferees, and permittees, and their heirs and assigns. Subject to the mineral rights herein reserved to the tribe as aforesaid, the Secretary may dispose of lots in townsites established on the lands transferred under this section, together with improvements thereon, under such terms and conditions as he determines to be appropriate, including provisions for payment for the furnishing of municipal facilities and services while such facilities and services are provided by the United States and for the establishment of liens in connection therewith, but no disposition shall be at less than the current fair market value, and he may dedicate portions of lands in such townsites, whether or not improved, for public purposes and transfer the land so dedicated to appropriate State or local public bodies and nonprofit corporations. He may also enter into contracts with State or local public bodies and nonprofit corporations whereby either party may undertake to render to the other such services in aid of the performance of activities and functions of a municipal, governmental, or public or quasi-public nature as will, in the Secretary's judgment, contribute substantially to the efficiency or ⊥the economy of the operations of the Department of the Interior in connection with the Glen Canyon unit.

71 Stat. 633; 18 U. S. C. 115

⊥1689

(b) The lands which are transferred under this section are described as follows:

PARCEL A

The following tract of unsurveyed land situated in Arizona: Beginning on the easterly bank of the Colorado River at a point where said easterly bank is intersected by the south line of section 9, township 40 north, range 8 east, Gila and Salt River base and meridian; thence upstream along the said easterly bank of the Colorado River to a point where said bank intersects the east line of section 16, township 41

north, range 9 east, Gila and Salt River base and meridian; thence south along the east line of sections 16, 21, 28, and 33 of said township 41 north, range 9 east, to the south line of said section 33; thence west along the south line of said section 33 to the east line of section 4, township 40 north, range 9 east, Gila and Salt River base and meridian; thence south along the east line of sections 4 and 9 of said township 40 north, range 9 east, to the south line of said section 9; thence west along the south line of sections 9, 8, and 7 of said township 40 north, range 9 east, and along the south line of sections 12, 11, 10, and 9 of said township 40 north, range 8 east, Gila and Salt River base and meridian to the point of beginning.

PARCEL B

The following tract of land in part unsurveyed situated in Arizona and Utah: Beginning at a point where the east line of section 16, township 41 north, range 9 east, Gila and Salt River base and meridian intersects the north boundary of the Navajo Indian Reservation in Arizona; thence upstream in Arizona and Utah along the north boundary of the reservation to a point where said north boundary intersects a contour line the elevation of which is 3,720 mean sea level (United States Coast and Geodetic Survey datum), said point being at approximate river mile 72.7 on the San Juan River above its confluence with the Colorado River, and also being near the east line of township 40 south, range 15 east, Salt Lake base and meridian; thence generally southwesterly within the Navajo Indian Reservation along said contour line the elevation of which is 3,720, to the point where said contour line intersects the east line of section 16, township 41 north, range 9 east, Gila and Salt River base and meridian; thence north along said east line to the point of beginning.

(c) The Secretary and the tribe may enter into such agreements as are appropriate for the utilization, under permits or easements, of such tribal lands, in the vicinity of Rainbow Bridge National Monument, as may be necessary in connection with the carrying out of any measures undertaken to preclude impairment of the monument as provided by section 1 of the Act of April 11, 1956 (70 Stat. 105). 43 U. S. C. 620.

(d) As used in this and in the preceding section of this Act, the term "minerals" shall not be construed to include sand, gravel, or other building or construction materials.

SEC. 3. (a) The State of Utah may convey to the United States title to any State-owned lands within the area described in subsection (b) of this section or subsection (c) of section 1 of this Act as base lands for indemnity selections under sections 2275 and 2276 of the Revised Statutes (43 U. S. C., secs. 851, 852). The Secretary of the Interior shall give priority to indemnity selection applications made pursuant to this subsection by the State of Utah. However, all conveyances made pursuant to this subsection, whether by the United States or by the State of Utah, shall contain a reservation of ⊥the minerals to the ⊥1690 grantor. Lands conveyed to the United States under this section shall be subject to selection by the Secretary of the Interior, and transfer to, the Navajo Tribe in the same manner as, and under the same terms and conditions as, lands described in subsection (c) of section 1 of this Act. Notwithstanding a conveyance to the United States of State-owned lands in accordance with the provisions of this subsection, such conveyance shall not prevent the Navajo Tribe from asserting, in any manner that would have been available to the tribe if the conveyance had not been made, a claim of title, if any, to the lands conveyed by the State that the tribe asserts is superior to the title asserted by the State of Utah. If a claim of title so asserted by the Navajo Tribe determined to be superior to the title asserted by the State of Utah, and if the Navajo Tribe has selected such lands as a part of the transfer authorized by section 1 of this Act, the Navajo

Tribe shall be permitted to select other lands described in subsection (c) of section 1 in lieu thereof.

(b) The lands referred to in subsection (a) of this section and not described in subsection (c) of section 1 of this Act are described as follows:

SALT LAKE MERIDIAN

Township 38 south, range 23 east: section 36.
Township 38 south, range 24 east: section 32.
Township 39 south, range 22 east: section 36.
Township 39 south, range 23 east: sections 2, 16, 32, and 36.
Township 39 south, range 24 east: sections 2, 16, and 32.
Township 40 south, range 22 east: section 2.
Township 40 south, range 23 east: sections 2, 16, and 36.

Indemnity selections.

(c) The right of the State of Utah to make indemnity selections under the terms of this section shall expire five years after the date of approval of this Act.

Approved, September 2, 1958.

PUBLIC LAW 85-878

AN ACT

September 2, 1958
[H. R. 7860]
72 Stat. 1690

To amend section 1 of the Act of July 24, 1956 (70 Stat. 625), entitled "To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range."

Indians.
Pine Ridge Sioux Tribe.
Payments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of July 24, 1956 (70 Stat. 625), is hereby amended to read as follows:

"That (a) the Secretary of the Interior is authorized and directed to pay the sum of $3,500 to each of the following Indians or their estates: Edith Apple Bear, Ephriam Brafford, Catherine Jones Brewer, Lamont Cook, Eloise Ruff Garnett, Jake Harvey, Ambrose Hernandez, Floyd F. Hernandez, Thomas Hollow Horn, Steven L. Hunter, Edward Janis, Junior, Norman Janis, George Jensen, William Jones, Carrie Knee, Clency Kocer, Seth P. Martinez, Walter Martinez, George Mountain Sheep, Jack O'Rourke, Wilbur Pourier, Josephine Thunder Bull, Gilbert Twiss, Martha E. Clifford Whiting, Patrick O'Rourke, William Clifford, Bertha Huebner Darling, and Loren Pourier.

"(b) The Secretary is further authorized and directed to pay the sum of $1,750 to Stephen Red Elk (or his estate) and $1,750 to Emma Old Horse (or her estate).

"(c) The payment of such sums shall be in full satisfaction of all claims of the aforementioned Indians against the United States for compensation for damages sustained by them as a result of the taking by the Department of the Army in 1942 of certain land owned by the Pine Ridge Sioux Tribe of Indians, South Dakota, for use as an aerial gunnery range.

Tax exemption.

"(d) Sums paid pursuant to this Act shall not be taxable and shall not be subject to any liens except for debts owned to the United States or to Indian organizations indebted to the United States."

SEC. 2. Notwithstanding the provisions of section 1 of the Act of July 24, 1956, as amended by section 1 of this Act, no person to whom had been paid the compensation provided for in said Act of July 24, 1956, as it existed prior to its amendment, shall be entitled to receive compensation under said Act as amended.

Approved, September 2, 1958.

PUBLIC LAW 85-910

AN ACT

September 2, 1958
[H. R. 11009]
72 Stat. 1751

To provide for the establishment of Grand Portage National Monument in the State of Minnesota, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of preserving an area containing unique historical values, there is hereby authorized to be established, in the manner hereinafter provided, the Grand Portage National Monument in the State of Minnesota which, subject to valid existing rights, shall comprise the following described lands:

Grand Portage National Monument, Minn., establishment.

NORTHWEST COMPANY AREA

Tract numbered 1 beginning at a point about 28 feet from the water line of Lake Superior and on the east boundary of the southwest quarter of the southeast quarter of section 4, said point marked by a brass plug numbered I; thence northerly along said boundary line a distance of 273.70 feet to a point marked by a brass plug numbered II; thence in a westerly direction parallel to the south one-sixteenth line of section 4 a distance of 1,320 feet to the intersection of said line with the north-south quarter line of section 4, said point of intersection being in the bed of a stream and witnessed by an iron pipe located 60 feet southerly from said point and on the north-south quarter line, and on the west bank of said stream; thence southerly along said north-south quarter line a distance of 120 feet to the point of intersection of said north-south quarter line and the south one-sixteenth line of section 4 marked by an iron pipe set in concrete; thence westerly along said one-sixteenth line a distance of 120 feet to a point in path marked by brass plug numbered IV; thence southerly in a direction parallel to the north-south quarter line of section 4 a distance of 660 feet to an iron bolt in road intersection; thence westerly parallel to the south one-sixteenth line of section 4 a distance of 1,200 feet to the point of intersection of said line with the west one-sixteenth line of said section 4 and marked by a brass plug numbered VI; thence southerly along said west one-sixteenth line a distance of 1,760 feet to a point marked by a brass plug numbered VII; thence easterly along a line parallel to the north section line of section 9 a distance of 486.21 feet to a point marked by an inclined iron pipe, said point being the point where the said iron pipe enters the concrete; thence along the said line extended a distance of approximately 39 feet to the water's edge; thence along the shore line of Lake Superior to the point where said shore line intersects the east one-sixteenth line of section 4 extended; thence northerly along said one-sixteenth line to place of beginning, all being located in sections 4 and 9, township 63 north, range 6 east, in Grand Portage Indian Reservation, State of Minnesota. Right-of-way for existing Bureau of Indian Affairs roads within the above described parcel of land is excluded therefrom.

⊥NORTHWEST COMPANY AREA ⊥1752

Tract numbered 2 beginning at the point on the west one-sixteenth line of section 9 marked by brass plug numbered VII referred to in the description of tract numbered 1 above, thence westerly along a line parallel to the north section line of section 9 a distance of 275 feet to a point marked by an iron pipe; thence northerly along a line parallel to the west one-sixteenth line of section 9 a distance of 443.63 feet to a point marked by an iron pipe; thence easterly along a line parallel to the north section line of section 9 to the point of intersection of west one-sixteenth line of section 9; thence southerly along said one-sixteenth line to point of beginning, all lying in section 9 of township 63 north, range 6 east, in the Grand Portage Indian Reservation, State of Minnesota.

FORT CHARLOTTE AREA

The northeast quarter, section 29, township 64 north, range 5 east,

or such lands within this quarter section as the Secretary of the Interior shall determine to be necessary for the protection and interpretation of the site of Fort Charlotte.

GRAND PORTAGE TRAIL SECTION

A strip of land 100 feet wide centering along the old Portage Trail beginning at the point where the trail intersects the present road to Grand Portage School, and continuing to the proposed United States Highway 61 right-of-way relocation in the northeast quarter of the northwest quarter, section 4, township 63 north, range 6 east, a strip of land 600 feet wide centering along the old Portage Trail as delineated on original General Land Office survey maps, from the north side of the proposed right-of-way to lands described at the Fort Charlotte site.

Establishment of the foregoing areas as the Grand Portage National Monument shall be effective when title to that portion of the aforesaid lands and interests in lands which is held in trust by the United States of America for the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, has been relinquished in accordance with section 2 hereof to the Secretary of the Interior for administration as a part of the Grand Portage National Monument.

Publication in F.R.

Notice of the establishment of the monument as authorized and prescribed by this Act shall be published in the Federal Register.

SEC. 2. The Secretary of the Interior is authorized to accept, as a donation, the relinquishment of all right, title, and interest of the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, in and to any of the lands described in section 1 of this Act which is now held in trust by the United States of America for the said tribe or band; the executive committee of the Minnesota Chippewa Tribe and the tribal council of the Grand Portage Band of Chippewa Indians, Minnesota, are hereby authorized to execute such instruments of relinquishment in favor of the United States; and acceptance of the relinquishment by the Secretary shall operate as a transfer of custody, control and administration of such properties for administration and as a part of the Grand Portage National Monument: *Provided,* That upon the acceptance of any donated lands and interests therein the Secretary shall recognize, honor, and respect, in accordance with the terms thereof, any existing life assignments on such properties.

SEC. 3. The Secretary of the Interior is authorized to procure any and all other lands or interests therein within the monument, including, but not limited to, any and all nontrust lands therein owned in

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⊥fee simple by the Grand Portage Band of Chippewa Indians, Minnesota, and the council of said band is authorized to sell and convey such nontrust lands to the United States of America.

SEC. 4. The Secretary of the Interior, under regulations prescribed by him, shall grant recognized members of the Minnesota Chippewa Tribe the preferential privilege to provide those visitor accommodations and services, including guide services, which he deems are necessary within the monument.

SEC. 5. The Secretary of the Interior shall, insofar as practicable, give first preference to employment of recognized members of the Minnesota Chippewa Tribe in the performance of any construction, maintenance, or any other service within the monument for which they are qualified.

SEC. 6. The Secretary of the Interior shall encourage recognized members of the Minnesota Chippewa Tribe in the production and sale of handicraft objects within the monument. The administration of the Grand Portage National Monument shall not in any manner interfere with the operation or existence of any trade or business of said tribe outside the boundaries of the national monument.

SEC. 7. Recognized members of the Minnesota Chippewa Tribe shall not be denied the privilege of traversing the area included within the Grand Portage National Monument for the purposes of logging their land, fishing, or boating, or as a means of access to their homes, businesses, or other areas of use and they shall have the right to traverse such area in pursuit of their traditional rights to hunt and trap outside the monument: *Provided*, That, in order to preserve and interpret the historic features and attractions within the monument, the Secretary may prescribe reasonable regulations under which the monument may be traversed.

SEC. 8. The Secretary of the Interior, subject to the availability of appropriated funds, shall construct and maintain docking facilities at the Northwest Company area for use in connection with the monument. Such facilities shall be available for use by the Minnesota Chippewa Tribe and its recognized members, without charge to them, under regulations to be prescribed by the Secretary.

SEC. 9. To the extent that appropriated funds and personnel are available therefor, the Secretary of the Interior shall provide consultative or advisory assistance to the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, in the planning of facilities or developments upon the lands adjacent to the monument.

SEC. 10. When establishment of the monument has been effected, pursuant to this Act, the Secretary of the Interior shall administer, protect, and develop the monument in accordance with the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes" approved August 25, 1916 (39 Stat. 535), as amended. 16 U S C 1

SEC. 11. In the event the Grand Portage National Monument is abandoned at any time after its establishment, title to the lands relinquished by the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, pursuant to section 2 hereof shall thereupon automatically revert to the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, their successors or assigns. In such event, the title will be taken in a fee simple status unless the United States holds other lands in trust for the Minnesota Chippewa Tribe or the Grand Portage Band of Chippewa Indians, Minnesota, in which event the title shall revert to the United States in trust for the Minnesota Chippewa Tribe or the Grand Portage Band of Chippewa Indians, Minnesota.

Approved, September 2, 1958.

PUBLIC LAW 85–915

AN ACT

September 2, 1958
[H. R. 12662]

72 Stat. 1762

To provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the Oahe Dam and Reservoir project as authorized by the Act of December 22, 1944 (58 Stat. 887, 891)— Oahe Dam and Reservoir Project, Mo.

(a) title to the entire interest, excluding the interest in oil, gas, and all other minerals of any nature whatsoever, in approximately 55,993.82 acres of land within the taking area described in this Act on the Standing Rock Reservation in South Dakota and North Dakota, in which Indians have a trust or restricted interest, and title to any interest Indians may have in the bed of the Missouri River so far as it is within the boundaries of the Standing Rock Reservation, are hereby taken by the United Acquisition of land

States for the Oahe project on the Missouri River and in consideration thereof the United States will pay to the Standing Rock Sioux Tribe and the individual Indian owners out of funds available for the Oahe Dam and Reservoir project:

(1) a sum aggregating $1,952,040, to be disbursed in accordance with schedules prepared by the Missouri River Basin project investigation staff; and

(2) the amount of $3,299,513, which shall be in settlement of all claims, rights, and demands of the tribe and individual Indians arising out of the taking under this Act, to be disbursed in accordance with the provisions of section 2 hereof;

(b) upon a determination by the Secretary of the Army, filed among the appropriate land records of the Department of the Interior within two years from the date of enactment of this Act, that any of the lands described in this Act are not required for Oahe project purposes, title to such land shall be revested in the former owner; and

(c) if the Secretary of the Army determines that additional Indian lands, tribal or individual, within the Standing Rock Reservation are required for project purposes, he may acquire such lands by purchase with the approval of the Secretary of the Interior, or by condemnation.

Standing Rock Sioux Tribe Payments

SEC. 2. The payments authorized by this Act, less the amount heretofore deposited by the United States in the case entitled "United States of America, Plaintiff vs. 2,095.32 acres of land etc. and Sioux Indians of Standing Rock Reservation et al., Defendants", civil numbered 722 filed in the United States District Court for the District of South Dakota, shall be deposited to the credit of the Standing Rock Sioux Tribe in the Treasury of the United States to draw interest on the principal at the rate of 4 per centum per annum until expended. The sum of $1,952,040 shall be allocated in accordance with the tract and ownership schedules to be prepared by the Missouri River Basin investigation staff after consultation with the tribal council to correct known errors. The amounts allocated to the lands owned by individual Indians shall be credited to their respective individual Indian money accounts. No part of the compensation for the property taken by this Act shall be subject to any lien, debt, or claim of any nature whatsoever against the tribe or individual Indians except delinquent debts owed by the tribe to the United States or owed by individual Indians to the tribe or to the United States. One-half of the amount ⊥1763 ⊥paid pursuant to subsection 1 (a) (2) of this Act shall be consolidated with the rehabilitation appropriation authorized by section 5 of this Act and shall be expended in accordance with the provisions of section 5: *Provided*, That a sum not to exceed $726,546 shall be available from said remaining one-half to pay expenses, costs, losses, and damages of members of the tribe as a direct result of moving themselves and their possessions on account of the taking under section 1 of this Act. No part of such amounts shall be used for per capita payments.

Limitation

Indian Cemeteries, Monuments, etc.

SEC. 3. The Secretary of the Army, out of funds appropriated for the construction of the Oahe project other than those authorized by this Act, shall relocate and reestablish such Indian cemeteries, tribal monuments, and shrines within the area taken under this Act as the Standing Rock Tribal Council shall select and designate, with the approval of the Secretary of the Interior.

Reconstruction of facilities.

SEC. 4. The Secretary of the Army is authorized and directed, out of funds appropriated for the Oahe project, to protect, replace, relocate, or reconstruct any existing essential agency facilities on the Standing Rock Sioux Reservation, including schools, hospitals, service buildings, agents' and employees' quarters, roads, bridges, and incidental matters or facilities in connection therewith, which the Secretary of the

Interior determines will be impaired by the construction of the Oahe project.

Appropriation

SEC. 5. There is authorized to be appropriated the further sum of $6,960,000, which shall be deposited in the Treasury of the United States to the credit of the Standing Rock Sioux Tribe to draw interest on the principal at the rate of 4 per centum per annum until expended for the purpose of developing individual and family plans, relocating, reestablishing, and providing other assistance designed to help improve the economic and social conditions of all recognized members of the Standing Rock Sioux Tribe regardless of residence on the reservation: *Provided*, That such fund may be expended in accordance with plans and programs approved both by the tribal council and the Secretary of the Interior: *And provided further*, That no part of such funds shall be used for per capita payments, or for the purchase of land by the tribe except for the purpose of resale to individual Indians in furtherance of the rehabilitation program authorized by this section.

Mineral rights

SEC. 6. All minerals, including oil and gas, within the area taken by this Act shall be and hereby are reserved to the tribe or individual Indian owners as their interests may appear, but the exploration, exploitation, and development of the minerals, including oil and gas, shall be subject to all reasonable regulations which may be imposed by the Secretary of the Army for the protection of the Oahe project.

Rights in taking area.

SEC. 7. Members of the tribe now residing within the taking area of the project shall have the right without charge to remain on and use the lands taken by this Act until required to vacate in accordance with the provisions of this Act.

SEC. 8. Up to sixty days before the individual landowners are required to vacate the land in accordance with the provisions of this Act, they shall have the right without charge to cut and remove all timber from their respective lands and to salvage the improvements on their respective lands but, if said rights are waived or not exercised within the time limit herein specified, the tribe, through the tribal council, may exercise the rights: *Provided*, That the salvage permitted by this section shall not be construed to be compensation.

Schedule for vacating.

SEC. 9. (a) Except as provided in subsection (b), the schedule under which the tribe and the members thereof shall vacate the taking area shall be as follows:

(1) Little Eagle and Wakpala districts, within eight months from the date of this Act;

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⊥(2) Kenel district, within twelve months from such date;

(3) Agency district, within eighteen months from such date; and

(4) Cannonball district, within twenty-four months from such date.

(b) The Chief of Engineers, subject to approval by the Secretary of the Interior, may make such changes in the schedule provided in subsection (a) of this section as he deems necessary, except that, in any event, all lands within the taking area shall be vacated within two years after that date on which the Missouri River is diverted through the tunnels at the Oahe Dam or such prior date as the Chief of Engineers may fix, with the approval of the Secretary of the Interior.

Use of land

SEC. 10. After the Oahe Dam gates are closed and the waters of the Missouri River impounded, the said Indian tribe and the members thereof shall be given exclusive permission, without cost, to graze stock on the land between the water level of the reservoir and the exterior boundary of the taking area. The said tribal council and the members of said Indian tribe shall be permitted to have, without cost, access to the shoreline of the reservoir, including permission to hunt and fish in and on the aforesaid shoreline and reservoir, subject, however, to regulations governing the corresponding use by other citizens of the United States.

SEC. 11. For the purposes of (1) providing substitute land for

Authorization to purchase and sell certain lands

individual Indians whose land is within the taking area, (2) consolidating land holdings, and (3) eliminating fractionated heirship interests within the reservation, the Secretary of the Interior is authorized to purchase, with funds made available by such individual Indians or by the tribe, land or interests in land, and to sell tribal land upon request of the tribe, but no service charge shall be made by the United States. The land selected by and purchased for individual Indians may be either inside or outside the boundaries of the Standing Rock Sioux Reservation as diminished. Title to any land or interests in land acquired within the boundaries of the reservation shall be taken in the name of the United States in trust for the tribe or the individual Indian for whom the land is acquired, and title to any land or interests in land acquired outside the boundaries of the reservation shall be taken in the name of the individual for whom it is acquired. Trust title shall be subject to the laws and regulations applicable to other trust titles within the reservation.

For the purposes of this section, the Secretary of the Interior is also authorized to partition or sell individually owned land in which all interests are in a trust or restricted status upon request of the owners of not less than a 25 per centum interest in the land. Any such sale shall be by competitive bid, except that with the concurrence of the owners of not less than a 25 per centum interest in the land, any owner of an interest in the land, or the tribe, if the land is within the Standing Rock Sioux Reservation, shall have the right to purchase the land within a reasonable time fixed by the Secretary prior to a competitive sale at not less than its appraised value. If more than one preference right is exercised, the sale shall be by competitive bid, limited to the tribe and to the persons entitled to a preference. The Secretary of the Interior may represent for the purpose of this paragraph any Indian owner who is a minor, or who is non compos mentis, or under any other legal disability, and, after giving reasonable notice of the proposed sale by publication, may represent an Indian owner who cannot be located, and he may execute any title documents necessary to convey a marketable and recordable title.

Nothing in this section shall be construed to diminish the authority to acquire, sell, or exchange land that is contained in other provisions of law.

⊥1765 Restriction.

⊥SEC. 12. No part of any expenditure made by the United States under any or all of the provisions of this agreement and the subsequent acts of ratification shall be charged as an offset or counterclaim against any tribal claim which has arisen under any treaty, law, or Executive order of the United States prior to the effective date of taking of said land as provided for in section 1 hereof and the payment of Sioux benefits as provided for in section 17 of the said Act of March 2, 1889 (25 Stat. 888), as amended, shall be continued under the provision of section 14 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), on the basis now in operation without regard to the loss of tribal land within the taking area under the provisions of this agreement.

25 U S C 474

Reimbursement

SEC. 13. The Secretary of the Treasury, upon certification by the Secretary of the Interior, shall reimburse the Standing Rock Sioux Tribe for fees and expenses incurred in connection with the taking of Indian lands within the Standing Rock Sioux Reservation for the Oahe project: *Provided*, That such reimbursable fees and expenses do not exceed in the aggregate $135,000: *Provided further*, That attorney fees shall be paid under the terms of a contract approved by the Secretary of the Interior.

Rejection of payment

SEC. 14. Any individual member of the Standing Rock Sioux Tribe shall have the right to reject the sum tendered to him as payment in accordance with the schedules to be prepared by the Missouri River Basin investigation staff by filing within one year from the date of

this Act a notice of rejection with the Chief of Engineers, United States Army, Washington, District of Columbia. If the land of any Indian rejecting payment is included in condemnation proceedings heretofore instituted, the court in those proceedings shall proceed to determine the just compensation to which the individual is entitled and, if the land is not included in such condemnation proceedings, jurisdiction is hereby conferred upon the United States District Court for the District of South Dakota, or the United States District Court for the District of North Dakota, as the case may be, to determine just compensation in accordance with procedures applicable to the determination of just compensation in condemnation proceedings.

Court costs.

No court costs shall be charged against an individual but all other costs and expenses, including counsel fees, shall be at the contesting individual's expense. If the amount fixed by the court exceeds the amount theretofore tendered to the individual, the Secretary of the Army shall deposit the difference in court; if the amount fixed by the court is less than the amount theretofore tendered to the individual, the difference shall be credited to the United States.

Appropriations.

SEC. 15. There is hereby authorized to be appropriated such amounts as may be necessary for the purposes of this Act.

Definition.

SEC. 16. Subject to the provisions of section 1 of this Act, the taking area referred to in this Act and the land for which the compensation of $1,952,040 has been allowed under this Act, containing approximately 55,993.82 acres, is the land defined in report numbered 134, Missouri River Basin investigation project, and delimited on a map entitled "Map Showing Tribal and Individual Indian Restricted and Trust Land of the Standing Rock Sioux Reservation Acquired by the United States for the Oahe Project and Forming the Basis for the Agreed Sale Price of $1,952,040 Under an Agreement Dated March 24, 1958, Between the United States and the Standing Rock Sioux Tribe" on file in the Bureau of Indian Affairs.

Tax exemption.

SEC. 17. All funds authorized by this Act paid to the tribe and individual Indians shall be exempt from all forms of State and Federal taxation.

Approved, September 2, 1958.

PUBLIC LAW 85–916

AN ACT

September 2, 1958
[H. R. 12670]

72 Stat. 1766

To provide for additional payments to the Indians of the Crow Creek Sioux Reservation, South Dakota, whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes.

Crow Creek Sioux Indians.
Payments for lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to pay to the Crow Creek Sioux Tribe and the individual Indian owners, out of funds made available for the Fort Randall Dam and Reservoir project, in settlement of all claims, rights, and demands of said tribe and its members arising out of the construction of the Fort Randall Dam and Reservoir project, an amount equal to the difference between $1,395,811.94 and the sum paid for the taking of lands in condemnation proceedings entitled "United States of America, plaintiff, against 9,148.69 acres of land, etc., and Crow Creek Tribe of Sioux Indians, et al., defendants", civil numbered 184, and "United States of America, plaintiff, against 365.62 acres of land, etc., and State of South Dakota, et al., defendants", civil numbered 844 filed in the United States District Court for the District of South Dakota.

Deposit of payments.

SEC. 2. The payments authorized by section 1 of this Act shall be deposited to the credit of the Crow Creek Sioux Tribe in the Treasury of the United States to draw interest on the principal at the rate of 4 per centum per annum until expended. The sum of $126,000 shall be

allocated to the former owners on a prorated basis in accordance with the tract and ownership schedules set forth in the condemnation proceedings referred to in section 1, after consultation with the Missouri River Basin investigation staff and the tribal council to correct known errors. The amounts allocated to the lands owned by individual Indians shall be credited to their respective individual Indian money accounts. No part of the compensation for the property taken by the condemnation proceedings referred to in section 1, whether paid in the proceedings or under this Act, shall be subject to any lien, debt, or claim of any nature whatsoever against the tribe or individual Indians except delinquent debts owed by the tribe to the United States or owed by individual Indians to the tribe or to the United States. The cost of moving dwellings and other buildings owned by the Indians from the Fort Randall Dam and Reservoir project area shall be paid out of the part of the payment authorized under section 1 and payable to the tribe.

Mineral rights revested in former owners

SEC. 3. The Secretary of the Army shall revest or cause to be revested in the former owners all of the right, title, and interest of the United States in minerals acquired through the condemnation proceedings referred to in section 1 of this Act; but the exploration, exploitation, and development of the minerals, including oil and gas, shall be subject to all reasonable regulations which may be imposed by the Secretary of the Army for the protection of the Fort Randall Dam and Reservoir project.

Retention of timber etc

SEC. 4. Individual Indians and the tribe are authorized without charge to retain timber and improvements previously removed by them from the lands acquired in the condemnation proceedings referred to in section 1 hereof; and former owners shall also have the right, without charge, prior to September 30, 1958, to cut and remove any remaining timber and salvage any remaining improvements on the respective lands acquired from them in said condemnation proceedings; but, if said rights are waived or not exercised by September 30, 1958, the tribe, through the tribal council, may, prior to January 1, 1959, exercise the rights: *Provided,* That the salvage previously ⊥accomplished or permitted by this section shall not be construed to be double compensation.

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Permission to graze, stock, hunt and fish

SEC. 5. After the Randall Dam gates are closed and the waters of the Missouri River impounded, the said Indian tribe and the members thereof shall be given exclusive permission, without cost, to graze stock on the land between the water level of the reservoir and the exterior boundary of the taking area. The said tribal council and the members of said Indian tribe shall be permitted to have, without cost, access to the shoreline of the reservoir including permission to hunt and fish in and on the aforesaid shoreline and reservoir, subject, however, to regulations governing the corresponding use by other citizens of the United States.

Authorization to purchase and sell certain lands

SEC. 6. For the purposes of (1) providing substitute land for individual Indians whose land is within the taking area, (2) consolidating landholdings, and (3) eliminating fractionated heirship interests within the reservation, the Secretary of the Interior is authorized to purchase, with funds made available by such individual Indians or by the tribe, land or interests in land, and to sell tribal land upon request of the tribe, but no service charge shall be made by the United States. The land selected by and purchased for individual Indians may be either inside or outside the boundaries of the reservation as diminished. Title to any land interest in land acquired within the boundaries of the reservation shall be taken in the name of the United States in trust for the tribe or the individual Indian from whom the land is acquired, and title to any land or interests in land acquired outside the boundaries of the reservation shall be taken in the name of the individual for whom it is acquired. Trust titles shall be subject to the

laws and regulations applicable to other trust titles within the reservation.

For the purposes of this section, the Secretary of the Interior is also authorized to partition or sell individually owned land in which all interests are in a trust or restricted status upon request of the owners of a 51 per centum interest in the land. Any such sale shall be by competitive bid, except that with the concurrence of the owners of a 51 per centum interest in the land, any owner of an interest in the land, or the tribe, if the land is within the reservation, shall have the right to purchase the land within a reasonable time fixed by the Secretary prior to a competitive sale at not less than its appraised value. If more that one preference right is exercised, the sale shall be by competitive bid limited to the tribe and to the persons entitled to a preference. The Secretary of the Interior may represent for the purpose of this paragraph any Indian owner who is a minor, or who is non compos mentis and, after giving reasonable notice of the proposed sale by publication, may represent an Indian owner who cannot be located, and he may execute any title documents necessary to convey a marketable and recordable title.

Nothing in this section shall be construed to diminish the authority to acquire, sell, or exchange land that is contained in other provisions of law. Restrictions.

SEC. 7. No part of any expenditure made by the United States under any or all of the provisions of this Act shall be charged as an offset or counterclaim against any tribal claim which has arisen under any treaty law, or Executive order of the United States prior to the effective date of taking of said land as provided for in section 1 hereof and the payment of Sioux benefits as provided for in section 17 of the said Act of March 2, 1889 (25 Stat. 888), as amended, shall be continued under the provisions of section 14 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), on the basis now in operation ⊥without regard to the loss of tribal land within the taking area under the provisions of this Act. Expenditure restriction. 25 U.S.C. 474 ⊥1768

SEC. 8. The Secretary of the Treasury, upon certification by the Secretary of the Interior, shall reimburse the tribe for fees and expenses incurred in connection with the taking of tribal and individual Indian lands for the Randall project: *Provided,* That such reimbursable fees and expenses do not exceed in the aggregate $100,000, of which not more than $50,000 shall be reimbursable as attorney fees. Reimbursement to tribe

SEC. 9. There is hereby authorized to be appropriated such sums as may be necessary for the purposes of this Act. Appropriations.

SEC. 10. All funds paid to the tribe and individual Indians, either pursuant to this Act or pursuant to the condemnation action referred to in section 1 of this Act shall be exempt from all forms of State and Federal taxation. Tax exemptions.

SEC. 11. Any individual member of the Crow Creek Sioux Tribe shall have the right to reject the sum tendered to him as his share of the $126,000 in accordance with the proration under section 2 of this Act by filing within one year a notice of rejection with the Chief of Engineers, United States Army, Washington, District of Columbia. If the court, in the condemnation proceedings referred to in section 1, in determining the just compensation to which the individual is entitled, fixes an amount in excess of the amount theretofore tendered to him, the Secretary of the Army shall deposit the difference in court. No court costs shall be charged against an individual but all other costs and expenses, including counsel fees, shall be at the contesting individual's expense. Rejection notice.

Approved, September 2, 1958.

PUBLIC LAW 85-923

AN ACT

September 2, 1958
[H. R. 12663]
72 Stat. 1773

To provide for additional payments to the Indians of the Lower Brule Sioux Reservation, South Dakota, whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes.

Sioux Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to pay to the Lower Brule Sioux Tribe and the individual Indian owners, out of funds made available for the Fort Randall Dam and Reservoir project, in settlement of all claims, rights, and demands of said tribe and its members arising out of the construction of the Fort Randall Dam and Reservoir project, an amount equal to the difference between $976,523 and the sum paid for the taking of lands in condemnation proceedings entitled "United States of America, Plaintiff against 7,996.62 acres of land, etc. and Lower Brule Tribe of Sioux Indians et al., Defendants", civil numbered 186, filed in the United States District Court for the District of South Dakota.

Deposit of payments.

SEC. 2. The payments authorized by section 1 of this Act shall be deposited to the credit of the Lower Brule Sioux Tribe in the Treasury of the United States to draw interest on the principal at the rate of 4 per centum per annum until expended. The sum of $85,242.35 shall be allocated to the former owners on a prorated basis in accordance with the tract and ownership schedules set forth in the condemnation proceedings referred to in section 1, after consultation with the Missouri River Basin investigation staff and the tribal council to correct known errors. The amounts allocated to the lands owned by individual Indians shall be credited to their respective individual Indian money accounts. No part of the compensation for the property taken by the condemnation proceedings referred to in section 1, whether paid in the proceedings or under this Act, shall be subject to any lien, debt, or claim of any nature whatsoever against the tribe or individual Indians except delinquent debts owed by the tribe to the United States or owed by individual Indians to the tribe or to the United States. The cost of moving dwellings and other buildings owned by the Indians from the Fort Randall Dam and Reservoir project area shall be paid out of the part of the payment authorized under section 1 and payable to the tribe.

Mineral rights.

SEC. 3. The Secretary of the Army shall revest or cause to be revested in the former owners all of the right, title, and interest of the United States in minerals acquired through the condemnation proceedings referred to in section 1 of this Act; but the exploration, exploitation, and development of the minerals, including oil and gas, shall be subject to all reasonable regulations which may be imposed by the Secretary of the Army for the protection of the Fort Randall Dam and Reservoir project.

Retention of timber, etc.

SEC. 4. Individual Indians and the tribe are authorized without charge to retain timber and improvements previously removed by them from the lands acquired in the condemnation proceedings referred to in section 1 hereof; and former owners shall also have the right, without charge, prior to September 30, 1958, to cut and remove any remaining timber and salvage any remaining improvements on the respective lands acquired from them in said condemnation proceedings; but, if said rights are waived or not exercised by September 30, 1958, the tribe, through the tribal council, may, prior to January 1, 1959, exercise the rights: *Provided,* That the salvage previously accomplished or permitted by this section shall not be construed to be double compensation.

⊥1774

Use of land

⊥SEC. 5. After the Randall Dam gates are closed and the waters of the Missouri River impounded, the said Indian tribe and the members

thereof shall be given exclusive permission, without cost, to graze stock on the land between the water level of the reservoir and the exterior boundary of the taking area. The said tribal council and the members of said Indian tribe shall be permitted to have, without cost, access to the shoreline of the reservoir including permission to hunt and fish in and on the aforesaid shoreline and reservoir, subject, however, to regulations governing the corresponding use by other citizens of the United States.

Authorization to purchase and sell certain lands.

SEC. 6. For the purposes of (1) providing substitute land for individual Indians whose land is within the taking area, (2) consolidating land holdings, and (3) eliminating fractionated heirship interests within the reservation, the Secretary of the Interior is authorized to purchase, with funds made available by such individual Indians or by the tribe, land or interests in land, and to sell tribal land upon request of the tribe, but no service charge shall be made by the United States. The land selected by and purchased for individual Indians may be either inside or outside the boundaries of the reservation as diminished. Title to any land or interests in land acquired within the boundaries of the reservation shall be taken in the name of the United States in trust for the tribe or the individual Indian for whom the land is acquired, and title to any land or interests in land acquired outside the boundaries of the reservation shall be taken in the name of the individual for whom it is acquired. Trust titles shall be subject to the laws and regulations applicable to other trust titles within the reservation.

For the purposes of this section, the Secretary of the Interior is also authorized to partition or sell individually owned land in which all interests are in a trust or restricted status upon request of the owners of a 51 per centum interest in the land. Any such sale shall be by competitive bid except that with the concurrence of the owners of a 51 per centum interest in the land, any owner of an interest in the land, or the tribe, if the land is within the reservation, shall have the right to purchase the land within a reasonable time fixed by the Secretary prior to a competitive sale at not less than its appraised value. If more than one preference right is exercised, the sale shall be by competitive bid limited to the tribe and to the persons entitled to a preference. The Secretary of the Interior may represent for the purpose of this paragraph any Indian owner who is a minor, or who is non compos mentis and, after giving reasonable notice of the proposed sale by publication, may represent an Indian owner who cannot be located, and he may execute any title documents necessary to convey a marketable and recordable title.

Nothing in this section shall be construed to diminish the authority to acquire, sell, or exchange land that is contained in other provisions of law.

Restriction.

SEC. 7. No part of any expenditure made by the United States under any or all of the provisions of this Act shall be charged as an offset or counterclaim against any tribal claim which has arisen under any treaty law, or Executive order of the United States prior to the effective date of taking of said land as provided for in section 1 hereof and the payment of Sioux benefits as provided for in section 17 of the said Act of March 2, 1889 (25 Stat. 888), as amended, shall be continued under the provisions of section 14 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), on the basis now in operation without regard to the loss of tribal land within the taking area under the provisions of this Act.

25 U.S.C. 474.

⊥1775

Reimbursement.

⊥SEC. 8. The Secretary of the Treasury, upon certification by the Secretary of the Interior, shall reimburse the tribe for fees and expenses incurred in connection with the taking of tribal and individual Indian lands for the Randall project: *Provided*, That such reim-

bursable fees and expenses do not exceed in the aggregate $100,000, of which not more than $50,000 shall be reimbursable as attorney fees.

Appropriations.

SEC. 9. There is hereby authorized to be appropriated such sums as may be necessary for the purposes of this Act.

Tax exemptions.

SEC. 10. All funds paid to the tribe and individual Indians, either pursuant to this Act or pursuant to the condemnation action referred to in section 1 of this Act, shall be exempt from all forms of State and Federal taxation.

Rejection notice.

SEC. 11. Any individual member of the Lower Brule Sioux Tribe shall have the right to reject the sum tendered to him as his share of the $85,242.35 in accordance with the proration under section 2 of this Act by filing within one year a notice of rejection with the Chief of Engineers, United States Army, Washington, District of Columbia. If the court, in the condemnation proceedings referred to in section 1, in determining the just compensation to which the individual is entitled, fixes an amount in excess of the amount theretofore tendered to him, the Secretary of the Army shall deposit the difference in court. No court costs shall be charged against an individual but all other costs and expenses, including counsel fees, shall be at the contesting individual's expense.

Approved, September 2, 1958.

PRIVATE LAWS OF THE EIGHTY-FIFTH CONGRESS, SECOND SESSION, 1958

PRIVATE LAW 85–391

AN ACT

To clear the title to certain Indian land.

May 9, 1958
[H. R. 5624]
72 Stat. A26

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States hereby disclaims on behalf of itself and any Indian allottee, or his heirs or devisees, any interest in land described as: Lot 6, section 17, township 19 south, range 24 east, sixth principal meridian, Miami County, Kansas, and the east half northwest quarter and lots 2 and 3, section 20, township 19 south, range 24 east, sixth principal meridian, Linn County, Kansas, containing 153.10 acres more or less, which lands were conveyed under guardian's deed to G. Lehr on April 6, 1868, by A. G. McKensie, guardian of So-we-lah-shing or Brown Cabbage, and approved by O. H. Browning, Secretary of the Interior, on November 5, 1868.

Approved, May 9, 1958.

PUBLIC LAWS OF THE EIGHTY-SIXTH CONGRESS, FIRST SESSION, 1959

PUBLIC LAW 86–13

AN ACT

April 22, 1959
[H. R. 2493]
73 Stat. 17

Declaring certain property in the State of New Mexico to be held in trust for the pueblo of Santo Domingo.

Pueblo Santo Domingo, N. Mex.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the land described below, together with the buildings and improvements thereon, are hereby declared to be held in trust for the pueblo of Santo Domingo, New Mexico, subject to the right of the United States to occupy and use for so long as they are needed for providing health services a parcel of approximately 0.10 acre of land and the buildings and improvements thereon that are now occupied and used by the Public Health Service, and the Public Health Service, upon termination of its use of such 0.10 acre parcel, may remove the temporary building occupied by it without obligation to restore the site to its former condition: Commencing at a point 342 feet from the southeast corner of the church ir

the Santo Domingo Pueblo, on a line running north 52 degrees 45 minutes west, thence running 443 feet south 63 degrees east, thence north 400 feet 47 degrees 49 minutes east, thence north 470 feet 52 degrees 45 minutes west, thence south 474 feet 42 degrees west to the point of beginning, containing 4.45 acres, more or less.

Approved, April 22, 1959.

PUBLIC LAW 86–16

AN ACT

To regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes.

April 27, 1959
[H. R. 3648]
73 Stat. 20

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may authorize officials or employees of the Bureau of Indian Affairs to accept and to disburse deposits of funds of students and student activity associations in schools operated by the Bureau of Indian Affairs in accordance with the purposes of such deposits. Such deposits and disbursements shall be accounted for under rules and regulations prescribed by the Secretary of the Interior.

Indian schools.
Student funds.

Approved, April 27, 1959.

PUBLIC LAW 86–19

AN ACT

To donate to the pueblo of Isleta certain Federal property in the State of New Mexico.

May 13, 1959
[S. 1271]
73 Stat. 21

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the land described below, together with the buildings and improvements thereon, is hereby declared to be held in trust for the pueblo of Isleta, New Mexico: A tract of land within section 31, township 8 north, range 3 east, New Mexico principal meridian, more particularly described as follows: Beginning at a point which bears north 17 degrees 20 minutes east, 171 feet from the point where the northeast corner of the Antonio Gutierrez and Joaquin Sedillo grant and the northwest corner of the Lo de Padilla grant touch the Government corner on the south line of the Isleta Pueblo grant; thence west 180 feet; thence north 325 feet; thence east 180 feet; thence south 325 feet to the point of beginning, containing $1^{34}/_{100}$ acres, more or less, and located within the exterior boundaries of the pueblo of Isleta in the State of New Mexico.

Pueblo, Isleta, N Mex

Approved, May 13, 1959.

PUBLIC LAW 86–30

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

May 20, 1959
[H. R. 5916]
73 Stat. 33

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act ⊥may be cited as the "Second Supplemental Appropriation Act, 1959") for the fiscal year ending June 30, 1959, and for other purposes, namely:

Second Supplemental Appropriation Act, 1959

⊥34

TITLE I

* * *

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

⊥40

* * *

141 ⊥PUBLIC HEALTH SERVICE

* * *

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For an additional amount for "Construction of Indian health facilities", $1,886,000, to remain available until expended.

* * *

145 ⊥DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

PAYMENT TO STANDING ROCK SIOUX TRIBE OF INDIANS

For deposit in the United States Treasury to the credit of the Standing Rock Sioux Tribe of Indians for rehabilitation and relocation, in accordance with the provisions of section 5 of the Act of September 2, 1958 (72 Stat. 1763), $6,960,000.

* * *

151 ⊥TITLE II
INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1959 for increased pay costs authorized by or pursuant to law, as follows:

* * *

154 ⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

* * *

Public Health Service:

* * *

"Indian health activities", $1,854,000;

* * *

157 ⊥DEPARTMENT OF THE INTERIOR

* * *

Bureau of Indian Affairs:

"Resources management", $878,700, of which $380,000 shall b derived by transfer from the appropriation for "Education an welfare services";

"General administrative expenses", $251,800;

* * *

Approved, May 20, 1959.

PUBLIC LAW 86-38

AN ACT

June 10, 1959
[S. 1217]

73 Stat. 69

To add certain public domain lands in Nevada to the Summit Lake India Reservation.

Summit Lake Indian Reservation, Nev Lands, addition

Be it enacted by the Senate and House of Representatives of th United States of America in Congress assembled, That the southeas quarter northeast quarter, northeast quarter southeast quarter se tion 20, township 42 north, range 26 east, Mount Diablo meridia Nevada, situated within the exterior boundaries of the Summit Lak Indian Reservation, Humboldt County, Nevada, containing 80 acre are hereby withdrawn from the public domain, subject to any vali existing rights heretofore initiated under the public land laws, ar added to and made a part of the Summit Lake Indian Reservation.

Approved, June 10, 1959.

PUBLIC LAW 86-40

AN ACT

June 11, 1959
[S. 1242]
73 Stat. 70

To authorize the use of the revolving loan fund for Indians to assist Klamath Indians during the period for terminating Federal supervision.

Klamath Indians
Revolving fund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to make loans, without interest, from the revolving fund authorized by the Acts of June 18, 1934 (48 Stat. 986; 25 U. S. C. 470), and June 26, 1936 (49 Stat, 1968; 25 U. S. C. 506), as amended and supplemented, to members of the Klamath Tribe of Indians who elected to withdraw from the tribe pursuant to the Act of August 13, 1954 (68 Stat. 718; 25 U. S. C. 564), as amended, regardless of the degree of Indian blood of the borrower, and to collect such loans by setoff against funds payable to the borrower pursuant to said Act of August 13, 1954, as amended. The Secretary is also authorized to refinance from such revolving fund any loan made by a lending agency to a withdrawing Klamath Indian that is secured by encumbrance of his beneficial interest in tribal property with the approval of the Secretary as required by section 4 of said 1954 Act, and to include therein a nonreimbursable grant equal to the interest charges incurred by the borrower prior to such refinancing. In the event adequate funds are not available from the revolving fund to refinance a loan by such lending agency, the Secretary is authorized to pay from the revolving fund, without reimbursement, the interest charged on such loan.

Approved, June 11, 1959.

PUBLIC LAW 86-58

AN ACT

June 23, 1959
[H. R. 5728]
73 Stat. 90

To set aside and reserve Memaloose Island, Columbia River, Oregon, for the use of the Dalles Dam project and transfer certain property to the Yakima Tribe of Indians in exchange therefor.

Memaloose Island,
Columbia River, Oreg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 24, 1926 (44 Stat. 768), concerning the withdrawal and use of Memaloose Island, Wasco County, Oregon, is repealed and the island, as described in said Act, is withdrawn from entry, sale, or other disposition and set aside for use by the Department of the Army in connection with The Dalles Dam project on the Columbia River.

SEC. 2. There is hereby taken by the United States, for The Dalles Dam project, the entire interest held in Memaloose Island by the Yakima Tribe of Indians, or any individual Indians, and in exchange therefor the Secretary of the Army or his designee shall transfer to the Secretary of the Interior the substitute burial ground designated as the Wishham Cemetery in Klickitat County, Washington, containing approximately eight and five-tenths acres of land. Title to such land shall be held in trust for the Yakima Tribe of Indians, but the tribe shall be responsible for maintenance of the burial ground and the United States shall have no responsibility therefor.

Approved, June 23, 1959.

PUBLIC LAW 86-60

AN ACT

June 23, 1959
[H. R. 5915]
73 Stat. 92

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Department of the
Interior and Related
Agencies Appropriation
Act, 1960.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not other-

wise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1960, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

DEPARTMENTAL OFFICES

* * *

OFFICE OF THE SOLICITOR

Salaries and Expenses

For necessary expenses of the Office of the Solicitor, $3,091,000, and in addition, not to exceed $100,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided,* That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedure Act (60 Stat. 237), as amended.

5 U. S. C. 1001 note.

* * *

194 ⊥BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $58,700,000.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts as authorized by law; $22,202,000, and in addition, $754,000 of the Revolving Fund for Loans, Bureau of Indian Affairs, shall be used in connection with administering loans to Indians: *Provided,* That the Secretary of the Interior is authorized to expend income received from leases on lands on the Colorado River

195 ⊥Indian Reservation (southern and northern reserves) for the benefit of the Colorado River Indian Tribes and their members during the current fiscal year, or until beneficial ownership of the lands has been determined if such determination is made during the current fiscal year.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; $13,575,000, to remain available until expended: *Provided,* That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further,* That no part of this appropriation shall be used for the acquisition of land or water rights within the States of

Restrictions

Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in section 106 of the Federal-Aid Highway Act of 1956 (70 Stat. 376) and section 6 of the Federal-Aid Highway Act of 1958 (72 Stat. 93) and the Act of August 23, 1958 (72 Stat. 834), $14,600,000, to remain available until expended. 23 U. S. C. 155. 25 U. S. C. 631 and note.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $3,715,000.

PAYMENT TO KLAMATH TRIBE OF INDIANS

For reimbursement to the Klamath Tribe of Indians of necessary expenses involved in preparing for termination of Federal supervision, in accordance with the Acts of August 14, 1957 (71 Stat. 347), and August 23, 1958 (72 Stat. 816), $100,000, to remain available until expended. 25 U. S. C. 564e note, 564w-1.

LIQUIDATION OF KLAMATH AND MENOMINEE AGENCIES

For expenses necessary for the liquidation of the Klamath and Menominee Indian Agencies in terminating supervision over the property of the Klamath and Menominee Tribes of Indians and the individual members thereof, $250,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed two hundred and eighty-five passenger motor vehicles (including twenty-five for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year) for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), the Act of August 3, 1956 (70 Stat. 986), and legislation terminating Federal ⊥supervision over certain Indian tribes; purchase of ice for official use of employees; and expenses required by continuing or permanent treaty provisions. 49 Stat. 1458. 25 U. S. C. 309, 309a. ⊥96

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of 18 U. S. C. 4124.

a recreational director for the Menominee Reservation and a curator for the Osage Museum, each of whom shall be appointed with the approval of the respective tribal councils and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation, except as provided for by the Act of July 24, 1956 (Public Law 772, Eighty-fourth Congress).

Restriction

70 Stat. 626

* * *

⊥103 ⊥TITLE II—RELATED AGENCIES

* * *

⊥105 ⊥INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $180,000, of which not to exceed $3,600 shall be available for expenses of travel.

60 Stat. 1049

* * *

Approved, June 23, 1959.

PUBLIC LAW 86-63

June 23, 1959
[H. R. 5262]

73 Stat. 108

AN ACT

To revise the boundaries of the Montezuma Castle National Monument, Arizona, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to facilitate the administration and protection of the Montezuma Castle National Monument, Arizona, the boundaries thereof are hereby revised to include the following described lands:

Montezuma Castle National Monument, Ariz.
Boundary revision

GILA AND SALT RIVER BASE AND MERIDIAN

Township 14 north, range 5 east: section 9, that portion of the southwest quarter southwest quarter located south and west of Beaver Creek, comprising about 2 acres; and section 16, southwest quarter southwest quarter northwest quarter and section 17, southeast quarter southwest quarter northeast quarter and south half southeast quarter northeast quarter, comprising about 40 acres.

⊥109 ⊥Township 15 north, range 6 east: section 31, that portion of the northwest quarter southeast quarter located south and east of Beaver Creek and not heretofore included in the Montezuma Well section of the said monument, comprising approximately 17 acres.

Acquisition of lands

SEC. 2. The Secretary of the Interior is authorized to acquire by purchase, donation, with donated funds, or otherwise and subject to such terms, reservations, and conditions as he may deem satisfactory, the land and interests in lands that are included within the boundaries of the Montezuma Castle National Monument as revised by section 1 of this Act. When so acquired, they shall be administered as a part of the Montezuma Castle National Monument, in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended.

16 U. S. C. 1-4, 22, 43.

Approved, June 23, 1959.

PUBLIC LAW 86-66

AN ACT

June 23, 1959
[H. R. 4748]
73 Stat. 110

To extend the leasing provisions of the Act of June 14, 1926, as amended by the Act of June 4, 1954 (68 Stat. 173; 43 U. S. C. 869—869-3), to certain lands in Oregon, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 13, 1928 (45 Stat. 429; 43 U. S. C. 869a), is hereby repealed.

Oregon and California grant lands.
Leasing provisions.

SEC. 2. The second sentence of subsection (c) of section 1 of the Act of June 14, 1926 (44 Stat. 741), as amended by the Act of June 4, 1954 (68 Stat. 173; 43 U. S. C. 869—869-3), is hereby amended to read as follows: "Nothing in this Act shall be construed to apply to lands in any national forest, national park, or national monument, or national wildlife refuge, or to any Indian lands or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by Executive order for the use of Indians, or, except insofar as this Act applies to leases of land to States and counties and to State and Federal instrumentalities and political subdivisions and to municipal corporations, to the revested Oregon and California Railroad grant lands and the reconveyed Coos Bay Wagon Road grant lands in the State of Oregon."

⊥SEC. 3. A new section is hereby added to the Act of June 14, 1926, as amended, supra, to read as follows: ⊥111

"SEC. 6. All moneys received from or on account of any revested Oregon and California Railroad grant lands or reconveyed Coos Bay Wagon Road grant lands under this Act shall be deposited respectively in the Oregon and California land-grant fund and the Coos Bay Wagon Road grant fund, and shall be applied in the same manner prescribed respectively by title II of the Act of August 28, 1937 (50 Stat. 875), as amended (43 U. S. C. 1181f), and by the Act of May 24, 1939 (53 Stat. 753)."

Approved, June 23, 1959.

PUBLIC LAW 86-70

AN ACT

June 25, 1959
[H. R. 7120]
73 Stat. 191

To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Omnibus Act".

Alaska Omnibus Act.

FEDERAL JURISDICTION

SEC. 2. (a) Section 4 of the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, is amended by striking out the words "all such lands or other property, belonging to the United States or which may belong to said natives", and inserting in lieu thereof the words "all such lands or other property (including fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives".

48 U. S. C. note prec. 21.

(b) Section 6(e) of said Act is amended by striking out the word "legislative" and inserting in lieu thereof the word "calendar".

72 Stat. 340.
48 U. S. C. note prec. 21.

* * *

Approved, June 25, 1959.

PUBLIC LAW 86-71

AN ACT

June 25, 1959
[H. R. 6914]
73 Stat. 154

To donate to the Confederated Tribes of the Warm Springs Reservation, Oregon, approximately 48.89 acres of Federal land.

Confederated Tribes of the Warm Springs Reservation, Oreg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the land described below are hereby declared to be held in trust for the Confederated Tribes of the Warm Springs Reservation, Oregon: Commencing at a point 5.38 chains west of center of section 25, township 9 south, range 12 east, north 30 chains, west 17.08 chains, south 20 chains, east 2.50 chains, south 10 chains, east 14.63 chains to point of beginning, containing 48.89 acres more or less, being parts of lots 5, 6, 11, 12, and 14 of section 25, township 9 south, range 12 east, Willamette meridian, Jefferson County, Oregon.

Approved, June 25, 1959.

PUBLIC LAW 86-76

July 1, 1959
[H. J. Res. 439]
73 Stat. 159

JOINT RESOLUTION

Making temporary appropriations for the fiscal year 1960, and for other purposes.

Temporary appropriations, 1960.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government, namely:

SEC. 101. (a) (1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1959 and for which appropriations, funds, or other authority would be available in the following appropriation Acts for the fiscal year 1960:

Legislative Branch Appropriation Act;
General Government Matters Appropriation Act;
Independent Offices Appropriation Act;
Department of Agriculture and Farm Credit Administration Appropriation Act;
Department of Defense Appropriation Act;
Department of Commerce and Related Agencies Appropriation Act;
Departments of Labor, and Health, Education, and Welfare Appropriation Act;
Department of State and Justice, the Judiciary, and Related Agencies Appropriation Act;
District of Columbia Appropriation Act; and the
Public Works Appropriation Act.

PUBLIC LAW 86-94

July 17, 1959
[S. 1904]
73 Stat. 220

AN ACT

To authorize the use of funds arising from a judgment in favor of the Citizen Band of Potawatomi Indians of Oklahoma, and the Prairie Band of Potawatomi Indians of Kansas, and for other purposes.

Potawatomi Indians. Use of funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Citizen Band of Potawatomi Indians of Oklahoma and to the credit of the Prairie Band of Potawatomi Indians of Kansas that were appropriated to pay a judgment by the Indians Claims Commission for inadequate compensation for lands ceded under the treaties of November 15, 1861 (12 Stat. 1191), and February 27, 1867 (15 Stat. 531), and the Act of July 1, 1862 (12 Stat. 489), and the interest thereon, may be advanced or expended for any purpose that is authorized by the respective tribal governing bodies and approved by the Secretary of the Interior. Any part of such funds that may be distributed per

capita to the members of the bands shall not be subject to Federal or State income tax.

Approved, July 17, 1959.

PUBLIC LAW 86-95

AN ACT

July 17, 1959
[S. 2045]
73 Stat. 221

To authorize the use of funds arising from a judgment in favor of the Coeur d'Alene Indian Tribe, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Coeur d'Alene Tribe that were appropriated to pay a judgment by the Indian Claims Commission dated May 6, 1958, and the interest thereon, after payment of attorney fees and expenses may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to Federal and State income tax.

Indians.
Coeur d'Alene Tribal funds

Approved, July 17, 1959.

PUBLIC LAW 86-97

AN ACT

July 17, 1959
[S. 1903]
73 Stat. 221

To authorize a per capita distribution of funds arising from a judgment in favor of the Quapaw Tribe, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to prepare a roll of the persons whose names appear on the Quapaw membership roll forwarded under date of January 4, 1890, and whose membership in the tribe was based upon Quapaw blood rather than solely upon adoption, and the descendants of such persons, who are living on the date of this Act. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Muskogee, Oklahoma, on forms prescribed by the Secretary, within six months after the date of this Act. For a period of three months thereafter, the Secretary shall permit the examination of the applications by the Quapaw Tribal Business Committee or by persons having a material interest therein for the purpose of lodging protests against any application. The determination of the Secretary regarding the eligibility of an applicant shall be final.

Indians
Quapaw tribal roll.

[1]SEC. 2. The Secretary shall distribute on a pro rata basis to the persons whose names appear on the roll prepared pursuant to section 1 of this Act, or their heirs or legatees, the balance of the funds on deposit in the Treasury of the United States to the credit of the Quapaw Indians that were appropriated by the Act of August 26, 1954 (68 Stat. 801), in satisfaction of a judgment against the United States that was obtained by the tribe in the Indian Claims Commission on May 7, 1954, and accrued interest thereon. The funds so distributed shall not be subject to Federal or State income tax.

[1]222
Per capita payments.

SEC. 3. (a) Except as provided in subsection (b) of this section, the Secretary shall distribute a share payable to a living enrollee directly to such enrollee, and the Secretary shall distribute a share payable to a deceased enrollee directly to his next of kin or legatees as determined by the laws of the place of domicile of the decedent, upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) A share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with the laws applicable to such person in the place of his domicile, or in the

discretion of the Secretary to the natural parent or guardian of such person.

Costs.

SEC. 4. All costs incurred by the Secretary in the preparation of the roll and in the payment of shares in accordance with the provisions of this Act shall be paid by appropriate withdrawals from the judgment fund, but the cost and expense of any litigation that may arise from the preparation of the roll or the payment of shares shall be paid by the United States.

Approved, July 17, 1959.

PUBLIC LAW 86–121

July 31, 1959
[S. 56]

AN ACT

73 Stat. 267

To amend the Act of August 5, 1954 (68 Stat. 674), and for other purposes.

Indians, sanitation facilities.
42 U. S. C. 2001–2004.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 5, 1954 (68 Stat. 674), is amended by adding at the end thereof the following new section:

"SEC. 7. (a) In carrying out his functions under this Act with respect to the provision of sanitation facilities and services, the Surgeon General is authorized—

Surgeon General.
Powers.

"(1) to construct, improve, extend, or otherwise provide and maintain, by contract or otherwise, essential sanitation facilities, including domestic and community water supplies and facilities, drainage facilities, and sewage- and water-disposal facilities, together with necessary appurtenances and fixtures, for Indian homes, communities, and lands;

Acquisition of lands.

"(2) to acquire lands, or rights or interests therein, including sites, rights-of-way, and easements, and to acquire rights to the use of water, by purchase, lease, gift, exchange, or otherwise, when necessary for the purposes of this section, except that no lands or rights or interests therein may be acquired from an Indian tribe, band, group, community, or individual other than by gift or for nominal consideration, if the facility for which such lands or rights or interests therein are acquired is for the exclusive benefit of such tribe, band, group, community, or individual, respectively;

Construction and maintenance.

"(3) to make such arrangements and agreements with appropriate public authorities and nonprofit organizations or agencies and with the Indians to be served by such sanitation facilities (and any other person so served) regarding contributions toward the construction, improvement, extension and provision thereof, and responsibilities for maintenance thereof, as in his judgment are equitable and will best assure the future maintenance of facilities in an effective and operating condition; and

Transfer of facilities.

"(4) to transfer any facilities provided under this section, together with appurtenant interests in land, with or without a money consideration, and under such terms and conditions as in his judgment are appropriate, having regard to the contributions made and the maintenance responsibilities undertaken, and the special health needs of the Indians concerned, to any State or Territory or subdivision or public authority thereof, or to any Indian tribe, group, band, or community or, in the case of domestic appurtenances and fixtures, to any one or more of the occupants of the Indian home served thereby.

Transfer of U. S. land.

"(b) The Secretary of the Interior is authorized to transfer to the Surgeon General for use in carrying out the purposes of this section such interest and rights in federally owned lands under the jurisdiction of the Department of the Interior, and in Indian-owed lands that either are held by the United States in trust for Indians or are subject

to a restriction against alienation imposed by the United States, including appurtenances and improvements thereto, as may be requested by the Surgeon General. Any land or interest therein, including appurtenances and improvements to such land, so transferred shall be subject to disposition by the Surgeon General in accordance with paragraph (4) of subsection (a): *Provided*, That, in any case where a beneficial interest in such land is in any Indian, or Indian tribe, band, or group, the consent of such beneficial owner ⊥to any such transfer or disposition shall first be obtained: *Provided further*, That where deemed appropriate by the Secretary of the Interior provisions shall be made for a reversion of title to such land if it ceases to be used for the purpose for which it is transferred or disposed. ⊥1268

"(c) The Surgeon General shall consult with, and encourage the participation of, the Indians concerned, States and political subdivisions thereof, in carrying out the provisions of this section."

SEC. 2. Section 6 of such Act is amended by striking out the word "This" and inserting in lieu thereof the words "Sections 1 to 5, inclusive, of this". 42 U. S. C. 2001 note

Approved, July 31, 1959.

PUBLIC LAW 86–125

AN ACT

July 31, 1959
[S. 1976]
73 Stat. 271

To make payments to Indians for destruction of fishing rights at Celilo Falls exempt from income tax.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds paid by the United States to Indian tribes, the portion of such funds subsequently distributed to members of the tribes or to trustees for or representatives of such members, and the funds paid by the United ⊥States directly to individual Indians, as compensation for the loss of fishing rights due to the construction, operation, and maintenance of the Dalles Dam, Columbia River, Washington and Oregon, shall not be subject to Federal or State income tax. Indians. ⊥1272

Approved, July 31, 1959.

PUBLIC LAW 86–158

AN ACT

August 14, 1959
[H. R. 6769]
73 Stat. 339

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1960, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1960, namely: Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1960.

* * *

⊥TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥1343

* * *

⊥PUBLIC HEALTH SERVICE ⊥1347

* * *

⊥INDIAN HEALTH ACTIVITIES ⊥1350

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (42 U. S. C. 2001) (including not to exceed $10,000 for temporary services at rates not to exceed $100 per diem for individuals, when authorized by the Surgeon 68 Stat. 674.

General); purchase of not to exceed thirty passenger motor vehicles, of which twenty shall be for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 321, 322(d), 324, and 509 of the Public Health Service Act; $45,500,000.

42 U. S. C. 248, 249, 251, 227.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; and purchase of trailers; $4,587,000, to remain available until expended: *Provided*, That such expenditures may be made through the Department of the Interior at the option of the Secretary of the Department of Health, Education, and Welfare: *Provided further*, That the unexpended balance of appropriations heretofore granted under this head shall be merged with this appropriation.

* * *

Approved, August 14, 1959.

PUBLIC LAW 86-192

AN ACT

August 25, 1959
[H. R. 2722]

73 Stat. 420

To supplement the Act of April 26, 1906 (34 Stat. 137), entitled "An Act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes", and for other purposes.

Choctaw Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to complete the action for the Choctaw Tribe authorized by the Act of April 26, 1906 (34 Stat. 137), entitled "An Act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes", the Secretary of the Interior is authorized and directed:

25 U. S. C. 355 note.

Sale of lands.

(a) Except as otherwise provided in subsections (b) and (c) of this section, to sell within three years after the date of this Act or as soon thereafter as possible, upon such terms and conditions as he deems proper, all lands, interests therein, and improvements thereon (except a one-half interest in the oil, gas hydrocarbons, and all other minerals or mineral rights in such lands, which one-half interest shall be reserved) that now or hereafter belong to the Choctaw Tribe, or to the Choctaw and Chickasaw Tribes jointly, and either are held by the United States in trust for the tribe or tribes or are subject to a restriction against alientation imposed by the United States, and to sell upon such terms and conditions as he deems proper a one-half interest in all oil, gas, hydrocarbons, and all other minerals or mineral rights in any such lands that were acquired by and are owned by the United States pursuant to the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967), as amended (25 U. S. C. 501–509), or the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended (25 U. S. C. 461 and the following). The remaining one-half interest in such mineral deposits shall be held in trust for the tribe or tribes until conveyed as hereinafter provided. The proceeds from all such sales, after deduction of the costs of sale, shall be deposited in the Treasury of the United States to the credit of the tribe or tribes to which the surface rights in the land belonged. As soon as feasible, but not later than three years after the date of enactment of this Act, unrestricted title to the Choctaw portion of the one-half interest in the oil, gas, hydrocarbons, and all other minerals or mineral rights that is directed to be reserved and held in trust by this subsection shall be conveyed

Mineral rights. Conveyance of title.

by the Secretary to a trustee, corporation, or other legal entity that is organized under State law and that is designated by the Choctaw Tribe and approved by the Secretary. If no such legal entity is designated and approved, unrestricted title to such interest shall be conveyed by the Secretary to the owner of the surface rights in the land. The Chickasaw portion of such one-half interest shall be held in trust until such time as the Secretary determines that it should be sold or conveyed for the benefit of the tribe, which sale or conveyance is hereby authorized.

(b) To convey without consideration, upon request of the Choctaw Tribe, to a trustee, corporation, or other legal entity that is organized under State law and that is designated by the tribe and approved by the Secretary, an unrestricted title to any of the lands that are subject to sale under subsections (a) and (d) of this section, together with all mineral rights therein: *Provided,* That if such lands are held for the benefit of the Choctaw and Chickasaw Tribes jointly, the Choctaw Tribe shall pay to the Chickasaw Tribe prior to such conveyance the appraised value of the undivided Chickasaw interest.

⊥(c) To convey to the life tenant, his heirs, devisees, successors, or ⊥421
assigns unrestricted title to the entire interest in lands and improvements thereon, including mineral deposits, that were acquired pursuant to the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967), as amended (25 U. S. C. 501–509), or the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended (25 U. S. C. 461 and the following), by the United States in trust for a designated individual Indian for his lifetime and thereafter in trust for the tribe.

(d) Except as provided in subsection (b) of this section, to sell within three years after the date of enactment of this Act or as soon thereafter as possible, upon such terms and conditions as he deems proper, or to transfer to a Federal agency or to a public body for public use, the lands, interests therein, and improvements thereon which have been acquired by the United States for use of the Choctaw Tribe under authority of title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), and subsequent Acts, administrative jurisdiction over which has heretofore been transferred by the President from the Secretary of Agriculture to the Secretary of the Interior by Executive Order Numbered 7868, dated April 15, 1938. The proceeds from such sales, after deduction of costs of sale, shall be deposited in the Treasury of the United States to the credit of the tribe.

SEC. 2. Nothing in this Act shall deprive any Indian of any individual right, ownership, or contract right he may have in land that is sold.

Right to purchase occupied lands.

SEC. 3. Any one or more of the enrolled members of the Choctaw Tribe or their descendants who occupy under a written lease or permit from the Bureau of Indian Affairs a portion of any lands subject to sale under the provisions of this Act shall have the right to purchase at such sale the lands which they occupy for a price equal to the highest acceptable competitive bid therefor, less the appraised value of any improvements which they may have placed thereon and which were not a part of the consideration for the lease or permit.

Execution of patents, deeds, etc.

SEC. 4. The Secretary of the Interior is authorized to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this Act, or to establish a marketable title to any property disposed of pursuant to this Act.

SEC. 5. Nothing in this Act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject

hereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency.

SEC. 6. The Secretary is authorized to set off against any indebtedness payable to the tribe or to the United States by an individual member of the tribe, or payable to the United States by the tribe, any funds payable to such individual or tribe under this Act and to deposit the amounts set off to the credit of the tribe or the United States as the case may be.

SEC. 7. The Act of June 18, 1934 (48 Stat. 984), as amended (25 U. S. C. 461), and the Act of June 26, 1936 (49 Stat. 1967), as amended (25 U. U. S. C. 501–509), shall not apply to the Choctaw Tribe and its members after the date of enactment of this Act, except that the provisions of section 1 of the Act of June 26, 1936, with respect to taxes on lands that are held by the United States in trust shall continue in effect until the trust is terminated, and any trust for the benefit of an individual Indian that was created pursuant to such section shall be terminated only as otherwise authorized by this Act or by any other Federal statute.

25 U. S. C. 501

1422 ⊥SEC. 8. Nothing in this Act shall affect any claim heretofore filed against the United States by the Choctaw Tribe.

SEC. 9. Nothing in this Act shall affect the provisions of the Act of August 11, 1955 (69 Stat. 666).

25 U. S. C. 355 note.

SEC. 10. In any per capita distribution of tribal funds that is hereafter made to members of the Choctaw Tribe, or their heirs or legatees, no payment shall be made in an amount that is less than $1, and any share that is less than $1 shall be credited to the appropriation available for carrying out the purposes of this Act.

SEC. 11. No principal chief of the Choctaw Tribe shall be appointed pursuant to section 6 of the Act of April 26, 1906 (34 Stat. 137), after a legal entity is designated and approved pursuant to subsection (a) of the first section of this Act, or after three years from the date of enactment of this Act, whichever is sooner.

Choctaw funds
Per capita distribution

SEC. 12. (a) The Secretary of the Interior is directed to exercise the discretionary authority granted by the Act of May 24, 1949 (63 Stat. 76, 84), to distribute per capita all of the funds held by the United States for the benefit of the Choctaw Tribe; except the amount necessary for the operation of the Choctaw Tribal Government until a legal entity is designated and approved pursuant to subsection (a) of the first section of this Act or until three years from the date of enactment of this Act, whichever is sooner.

Disposition of unclaimed funds

(b) Any per capita sum or other tribal funds or securities accruing to any member of the Choctaw Tribe or to his heirs or legatees, under this or any other Act, including any such sums that have been credited to individual Indian money accounts without application of the Indian for his distributive share of the tribal asset involved, that is not claimed by such person within seven years after the Secretary has first announced the procedure for submitting claims or within two years after the date of enactment of this Act, whichever is later, shall escheat to the tribe by operation of law and shall be transferred by the Secretary immediately upon the expiration of such time to the legal entity that is designated and approved pursuant to subsection (a) of the first section of this Act. If no such legal entity is designated and approved within three years from the date of enactment of this Act, any sums that would escheat to the tribe under this subsection shall escheat to the United States and be deposited in the miscellaneous receipts of the Treasury.

(c) The legal entity organized under State law and designated and approved pursuant to subsection (a) of the first section of this Act, if any, shall be the successor in interest to the Choctaw Tribe for all purposes.

Approved, August 25, 1959.

PUBLIC LAW 86-198

AN ACT

To set aside certain lands in Washington for Indians of the Quinault Tribe.

August 25, 1959
[H. R. 2188]
73 Stat. 427

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lands heretofore purchased for school purposes at Queets Village, within the Quinault Indian Reservation, State of Washington, and constituting 15.3 acres of land, more or less, in lot numbered 7, section 35, township 24 north, range 13 west, Willamette meridian, a portion of which has been subdivided into lots and occupied by certain Quinault Indians, and all of which are surplus to the needs of the Department of the Interior, shall, with the improvements thereon, be disposed of by the Secretary of the Interior as follows:

Indians.
Quinault tribal lands.

(a) Lots actually occupied and improved by individual Indians on February 1, 1958, shall be patented in trust to their occupants, as under sections 5 and 6 of the Act of February 8, 1887 (24 Stat. 389), as amended (25 U. S. C. 348, 349), but such lots may nevertheless be alienated to any member of the Quinault Tribe or, with the approval of the Secretary of the Interior, to another in which latter event they shall cease to be trust lands.

(b) All remaining lands of the said 15.3 acres shall be and the same are hereby set aside in trust for the Quinault Tribe of Indians.

SEC. 2. Prior to disposition of the lands, as provided in section 1 of this Act, the Quinault Tribe of Indians shall have agreed to eliminate from their suit now pending before the Indian Claims Commission under the Act of August 13, 1946 (60 Stat. 1049), any claim based on alleged inadequate compensation for said lands and to renounce any other claim they may have with respect thereto. Neither the lands herein authorized to be disposed of, nor the cost or value of said lands, shall be considered by way of offset under section 2 of said Act. Nothing contained in this Act shall be construed as an admission of liability on the part of the United States with respect to these or any other lands.

25 U. S. C. 70-70w.

Approved, August 25, 1959.

PUBLIC LAW 86-204

AN ACT

To provide for the apportionment by the Secretary of the Interior of certain costs of the Yakima Federal reclamation project, and for other purposes.

August 25, 1959
[H. R. 3335]
73 Stat. 429

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall determine the portion of the cost of constructing the water supply works of the Yakima Federal reclamation project which is properly assignable to the furnishing of water, as provided by the Acts of August 1, 1914 (38 Stat. 582, 604), and July 1, 1940 (54 Stat. 707), to the Wapato Indian irrigation project. The difference between the amounts previously authorized by such 1914 and 1940 statutes to be appropriated and credited to the reclamation fund and the amount of the cost assigned to the Wapato Indian irrigation project pursuant to this Act is hereby authorized to be appropriated out of any funds in the Treasury not otherwise appropriated, and to be credited to the reclamation fund. Such difference shall be made available in amounts not to exceed $20,000 annually. If the amount not assigned to the Wapato Indian irrigation project pursuant to this Act is less than the sum of the obligations heretofore undertaken with respect to water supply construction costs by the water users' ⊥organizations of the Yakima project, including the obligation of the Bureau of Indian Affairs with respect to two hundred and fifty thousand acre-feet of water for the "B" lands of the Wapato Indian irrigation project, the

Yakima Federal reclamation project.
Costs.

⊥430

Secretary shall make such reduction in the obligation of those organizations as he finds to be proper to carry out the provisions of their contracts relating to reductions to conform the obligation to the Secretary's final determination of the cost of constructing said facilities.

Approved, August 25, 1959.

PUBLIC LAW 86-213

September 1, 1959
[H. R. 7978]
73 Stat. 437

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1960, and for other purposes.

Supplemental Appropriation Act, 1960.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1960") for the fiscal year ending June 30, 1960, and for other purposes, namely:

* * *

1442 ⊥DEPARTMENT OF THE INTERIOR

DEPARTMENTAL OFFICES

* * *

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and Welfare Services", $2,225,000.

* * *

Approved, September 1, 1959.

PUBLIC LAW 86-225

September 8, 1959
[S. 417]
73 Stat. 454

AN ACT

To place in trust status certain lands on the Standing Rock Sioux Reservation in North Dakota and South Dakota.

Indians.
Lands in trust.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest in and to the west half northeast quarter, section 23, township 130 north, range 80 west, fifth principal meridian, Sioux County, North Dakota, containing 80 acres, more or less, on the Standing Rock Sioux Reservation in North Dakota, purchased by the United States with funds derived from the "Indian Moneys, Proceeds of Labor, Standing Rock Boarding School" account, shall hereafter be held by the United States in trust for the benefit of the Standing Rock Sioux Tribe of North Dakota and South Dakota.

Approved, September 8, 1959.

PUBLIC LAW 86-229

September 8, 1959
[S. 2339]
73 Stat. 456

AN ACT

To amend the law relating to the distribution of the funds of the Creek Tribe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act of August 1, 1955 (69 Stat. 431), is amended by changing "$200,000" to "$325,000".

25 U. S. C. 784.

Approved, September 8, 1959.

PUBLIC LAW 86–245

AN ACT

September 9, 1959
[S. 2435]
73 Stat. 476

To provide that certain funds in the Treasury of the United States to the credit of the Confederated Bands of Ute Indians be transferred to the credit of the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the entire proceeds of the judgment in Court of Claims case numbered 47565 entitled "The Confederated Bands of Ute Indians against the United States of America", now on deposit in the Treasury of the United States to the credit of the Confederated Bands of Ute Indians, together with all accrued interest thereon, be transferred and credited to the account of the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, to be used as directed by the Ute Mountain Tribal Council and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to Federal or State income tax.

Confederated Bands of Ute Indians, funds.

Approved, September 9, 1959.

PUBLIC LAW 86–246

AN ACT

September 9, 1959
[S. 2029]
73 Stat. 477

To authorize a per capita distribution of funds arising from a judgment in favor of the Confederated Tribe of Siletz Indians in the State of Oregon, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to distribute on a pro rata basis, to the persons whose names appear on the final roll approved pursuant to section 3 of the Act of August 13, 1954 (68 Stat. 724), or their heirs or legatees, the balance of the funds, after paying approved attorney fees and expenses, appropriated by the Supplemental Appropriation Act, 1959, in satisfaction of the judgment against the United States obtained in the Indian Claims Commission in docket Numbered 239, and accrued interest thereon. The funds so distributed shall not be subject to Federal or State income tax.

Indians, Siletz Tribe, funds distribution.

25 U. S. C. 693.

SEC. 2. (a) Except as provided in subsection (b) of this section, the Secretary shall distribute a share payable to a living enrollee directly to such enrollee, and the Secretary shall distribute a share payable to a deceased enrollee directly to his next of kin or legatees as determined by the laws of the place of domicile of the decedent, upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

Shares

(b) A share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with the laws applicable to such person in the place of his domicile, or in the discretion of the Secretary to the natural parent or guardian of such person.

SEC. 3. All costs incurred by the Secretary in the preparation of the roll and in the payment of shares in accordance with the provision of this Act shall be paid by appropriate withdrawals from the judgment fund.

Costs.

Approved, September 9, 1959.

PUBLIC LAW 86–247

AN ACT

September 9, 1959
[S. 2421]
73 Stat. 477

To amend the Klamath Termination Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to

Klamath Termination Act, amendment

permit an immediate payment of the purchase price of the Klamath Marsh, the title to which was taken by the United States by the Act of August 23, 1958 (72 Stat. 816), and thereby make possible partial distribution of funds to the Klamath Indians who have elected to withdraw from the tribe, which will lessen the need for making interim loans to such Indians, subsection 28(f) of the Act of August 13, 1954, as amended (72 Stat. 816), is hereby amended by changing the effective date for the taking of title by the United States from April 1, 1961, to the earliest date after September 30, 1959, when the Secretary of the Interior determines that funds for the payment of the purchase price are available from the sale of stamps under the Migratory Bird Hunting Stamp Act of March 16, 1934, as amended (16 U. S. C. 718).

25 U. S. C. 564w-1

48 Stat. 451
16 U. S. C. 718–718h.

Approved, September 9, 1959.

PUBLIC LAW 86–249

AN ACT

September 9, 1959
[H. R. 7645]

73 Stat. 479

To provide for the construction, alteration, and acquisition of public buildings of the Federal Government, and for other purposes.

Public Buildings Act of 1959

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Buildings Act of 1959".

* * *

40 U. S. C. § 483

Definitions

SEC. 13. As used in this Act—

(1) The term "public building" means any building, whether for single or multitenant occupancy, its grounds, approaches, and appurtenances, which is generally suitable for office or storage space or both for the use of one or more Federal agencies or mixed ownership corporations, and shall include: (i) Federal office buildings, (ii) post office, (iii) customhouses, (iv) courthouses, (v) appraisers stores, (vi) border inspection facilities, (vii) warehouses, (viii) record centers, (ix) relocation facilities, and (x) similar Federal facilities, and (xi) any other buildings or construction projects the inclusion of which the President may deem, from time to time hereafter, to be justified in the public interest; but shall not include any such buildings and construction projects: (A) on the public domain (including that reserved for national forests and other purposes), (B) on properties of the United States in foreign countries, (C) on Indian and native Eskimo properties held in trust by the United States, (D) on lands used in connection with Federal programs for agricultural, recreational, and conservation purposes, including research in connection therewith, (E) on or used in connection with river, harbor, flood control, reclamation or power projects, or for chemical manufacturing or development projects, or for nuclear production, research, or development projects, (F) on or used in connection with housing and residential projects, (G) on military installations (including fort, camp, post, naval training station, airfield, proving ground, military supply depot, military school, or any similar facility of the Department of Defense), (H) on Veterans' Administration installations used for hospital or domiciliary purposes, and (I) the exclusion of which the President may deem, from time to time hereafter, to be justified in the public interest.

* * *

Approved, September 9, 1959.

PUBLIC LAW 86–281

AN ACT

September 16, 1959
[H. R. 839]

73 Stat. 564

To approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wapato Indian irrigation project, Washington, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with the Act of June 22, 1936 (49 Stat. 1803, 25 U. S. C. 389–389e), the order of the Secretary of the Interior canceling $35,700.72 of delinquent irrigation charges, providing for the deferred payment of $13,851.98, and providing for the removal of two hundred thirty-two and fifty-six one hundredths acres of assessable land from the Wapato Indian irrigation project, as shown in the Wapato designation report 1953–1954–1955 part II, is hereby approved.

Wapato Indian irrigation project

Approved, September 16, 1959.

PUBLIC LAW 86–283

AN ACT

September 16, 1959
[H. R. 6508]

To grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Montana, to certain Indians, and for other purposes.

73 Stat. 565

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of June 4, 1920 (41 Stat. 751), as amended by the Act of May 26, 1926 (44 Stat. 658), is hereby amended to read as follows:

Crow Indians.
Mineral lands.

"SEC. 6. (a) Any and all minerals, including oil and gas, on any of the lands to be allotted hereunder are reserved for the benefit of the members of the tribe in common and may, with the consent of the tribal council, be leased for mining purposes in accordance with the provisions of the Act of May 11, 1938 (52 Stat. 347; 25 U. S. C. 396 a–f), under such rules, regulations, and conditions as the Secretary of the Interior may prescribe: *Provided,* That when any land is leased for mining purposes and development thereunder shall indicate the presence of minerals, including oil and gas, in paying quantities, the lessee or lessees shall proceed with all reasonable diligence to complete the development under said lease to extract the mineral, including oil and gas, from the land leased and to bring the product mined or extracted into market as speedily as possible unless the extraction and sale thereof be withheld with the consent of the Crow Tribe of Indians: *Provided further,* That allotments hereunder may be made of lands classified as valuable chiefly for coal or other minerals which may be patented as herein provided with a reservation, set forth in the patent, of the coal, oil, gas, or other mineral deposits for the benefit of the Crow Tribe: *Provided further,* That at the expiration of fifty years from the date of approval of this Act, unless otherwise ordered by Congress, the coal, oil, gas, or other mineral deposits upon or beneath the surface of said allotted lands shall become the property of the individual allottee or his heirs or devisees, or their heirs or devisees, subject to any outstanding leases, regardless of any prior conveyance by such allottee, heirs, or devisees of the lands overlying such minerals and regardless of the form of reference in such conveyance, or lack of reference, to the minerals reserved by this Act and made subject to further order of Congress.

73 Stat. 566

Title to minerals.

"(b) Title to the minerals so granted shall be held by the United States in trust for the Indian owners, except that if upon the expiration of said fifty years, the entire Indian interest in the minerals within any allotment or parcel thereof is granted by this Act to a person or persons who at that time hold an unrestricted title to the lands overlying such minerals, then the Secretary of the Interior shall by fee patent transfer to such person or persons the unrestricted fee simple title to such minerals, which title shall vest in such person or persons as of the date of the patent."

Approved, September 16, 1959.

PUBLIC LAW 86-322

AN ACT

September 21, 1959
[H. R. 6128]
73 Stat. 592

To provide for the division of the tribal assets of the Catawba Indian Tribe of South Carolina among the members of the tribe and for other purposes.

Catawba Indian Tribe.
Division of assets.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when a majority of the adult members of the Catawba Indian Tribe of South Carolina, according to the most reliable information regarding membership that is available to the Secretary of the Interior, have indicated their agreement to a division of the tribal assets in accordance with the provisions of this Act, the Secretary shall publish in the Federal Register a notice of that fact. The membership roll of the Catawba Indian Tribe of South Carolina shall thereupon be closed as of midnight of the date of such notice, and no child born thereafter shall be eligible for enrollment. The Secretary of the Interior with advice and assistance of the tribe shall prepare a final roll of the members of the tribe who are living at such time, and when so doing shall provide a reasonable opportunity for any person to protest against the inclusion or omission of any name on or from the roll. The Secretary's decisions on all protests shall be final and conclusive. After all protests are disposed of, the final roll shall be published in the Federal Register.

Publication in F

Shares.

SEC. 2. Each member whose name appears on the final roll of the tribe as published in the Federal Register shall be entitled to receive an approximately equal share of the tribe's assets that are held in trust by the United States in accordance with the provisions of this Act. This right shall constitute personal property which may be inherited or bequeathed, but it shall not otherwise be subject to alienation or encumbrance.

Distribution.

SEC. 3. The tribe's assets shall be distributed in accordance with the following provisions:

(a) If the State of South Carolina by legislation authorizes assets that are held by the State in trust for the tribe to be included in the distribution plan prepared by the Secretary in accordance with the provisions of this Act, they may be included.

(b) A The tribal council shall designate any part of the tribe's land that is to be set aside for church, park, playground, or cemetery purposes and the Secretary is authorized to convey such tracts to trustees or agencies designated by the tribal council for that purpose and approved by the Secretary.

(c) The remaining tribal assets shall be appraised by the Secretary and the share of each member shall be determined by dividing the total number of enrolled members into the total appraisal. The tribal

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⊥assets so appraised shall not include any improvements that were placed on the part of an assignment that is selected by an assignee, or his wife or children, pursuant to subsection (d) of this section. Such improvements shall be property of the assignee.

(d) Subject to the provisions of this subsection, each member who is an adult under the laws of the State and who has an assignment shall be given the option of selecting and receiving title to any part of his assignment that has an appraised value not in excess of his share of the tribe's assets. A wife, husband, or child of such adult member may select and receive title to any part of such assignment that has an appraised value not in excess of her or his share of the tribe's assets; and, if the child is a minor under the laws of the State, the option on his behalf may be exercised by such adult member. Each selection shall be subject to the approval of the Secretary of the Interior, who shall consider the effect of the selection on the total value of the property. The title to any part of an assignment so selected may be taken in the name of the person entitled thereto, or the title to all of

the parts of an assignment so selected may be taken in the names of the persons entitled thereto as tenants in common.

(e) Each member who has no assignment may select and receive title to any part of the tribal land that is not selected pursuant to subsection (d) of this section and that has an appraised value not in excess of his share of the tribe's assets.

(f) All assets of the tribe that are not selected and conveyed to members pursuant to subsections (d) and (e) of this section shall be sold and the proceeds distributed to the members in accordance with their respective interests. Such sales shall be by competitive bid and any member shall have the right to purchase property offered for sale for a price not less than the highest acceptable bid therefor. If more than one member exercises such right, the property shall be sold to the member exercising the right who offers the highest price. Any tribal assets that are not sold by the Secretary within two years from the date of the notice provided for in section 1 of this Act shall be conveyed to a trustee selected by the Secretary for disposition in accordance with this subsection, and the fees and expenses of such trustee shall be paid out of funds appropriated for the purposes of this Act.

Land surveys

SEC. 4. The Secretary of the Interior is authorized to make such land surveys and to execute such conveyancing instruments as he deems necessary to convey marketable and recordable titles to the tribal assets disposed of pursuant to this Act. Each grantee shall receive an unrestricted title to the property conveyed.

25 U. S. C. 461–479.

SEC. 5. The constitution of the tribe adopted pursuant to the Act of June 18, 1934 (48 Stat. 984), as amended, shall be revoked by the Secretary. Thereafter, the tribe and its members shall not be entitled to any of the special services performed by the United States for Indians because of their status as Indians, all statutes of the United States that affect Indians because of their status as Indians shall be inapplicable to them, and the laws of the several States shall apply to them in the same manner they apply to other persons or citizens within their jurisdiction. Nothing in this Act, however, shall affect the status of such persons as citizens of the United States.

SEC. 6. Nothing in this Act shall affect the rights, privileges, or obligations of the tribe and its members under the laws of South Carolina.

Tax exemption

SEC. 7. No property distributed under the provisions of this Act shall at the time of distribution be subject to any Federal or State income tax. Following any distribution of property made under the ⊥provi- ⊥594 sions of this Act, such property and income derived therefrom by the distributee shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the grantee.

Education program

SEC. 8. Prior to the revocation of the tribal constitution provided for in this Act, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or persons. Nothing in this section shall preclude any Federal agency from undertaking any other pro-

gram for the education and training of Indians with funds appropriated to it.

Approved, September 21, 1959.

PUBLIC LAW 86-326

AN ACT

September 21, 1959
[H. R. 6672]
73 Stat. 597

To authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation.

Agua Caliente Reservation lands.
25 U. S. C. 415

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), is amended to read as follows: "All leases so granted shall be for a term of not to exceed twenty-five years, except leases of land on the Agua Caliente (Palm Springs) Reservation which may be for a term of not to exceed ninety-nine years, and except leases of land for grazing purposes which may be for a term of not to exceed ten years."

Approved, September 21, 1959.

PUBLIC LAW 86-330

AN ACT

September 21, 1959
[H. R. 7437]
73 Stat. 598

To authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes.

Certain Indian tribes.
Payment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Kiowa, Comanche, and Apache Tribes that were appropriated by the Act of May 20, 1959 (Public Law 86-30), to pay a judgment by the Indian Claims Commission for inadequate compensation for lands ceded by the Act of June 6, 1900 (31 Stat. 677), and the interest thereon, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to Federal or State income tax.

Ante, p. 33.

Approved, September 21, 1959.

PUBLIC LAW 86-337

AN ACT

September 21, 1959
[H. R. 8514]
73 Stat. 601

To authorize the sale of forty acres of land owned by the Creek Tribe of Indians.

Indians.
Creek Tribe.
Sale of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to sell all of the right, title, and interest of the United States and of the Creek Tribe of Indians in the southeast quarter northeast quarter section 3, township 9 north, range 16 east, Indian base and meridian, containing approximately 40 acres, and located near the Eufaula Indian boarding school, Oklahoma. The land may be offered for sale to the city of Eufaula, Oklahoma, at its appraised fair market value, as determined by the Secretary, and if the offer is not accepted the land may be sold on the basis of competitive bids for not less than its appraised value or an amount substantially equal thereto. The proceeds of the sale shall be deposited in the Treasury of the United States to the credit of the Creek Indian Tribe.

Approved, September 21, 1959.

PUBLIC LAW 86-339

AN ACT

September 21, 1959
[H. R. 8587]
73 Stat. 602

To provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter called the "Secretary") is authorized and directed to do whatever is necessary and proper to equalize as nearly as possible the values of all allotments of land on the Agua Caliente (Palm Springs) Reservation in California in accordance with the provisions of this Act.

Agua Caliente Reservation, Calif.
Allotments, equalization

SEC. 2. Any member of the Agua Caliente Band (hereinafter called the "band") who is living on the date of the enactment of this Act and who has not received an allotment of land shall be given an allotment in accordance with the provisions of law existing prior to this Act. No further allotments of land shall thereafter be made to any other or future born members of the band, or to their heirs or devisees, except for the purpose of equalization. This prohibition against further allotments shall not be construed as a closing of the band's membership rolls.

SEC. 3. (a) The Secretary shall determine on the basis of the contract appraisals that were made in 1957 and 1958 (1) the value of all unallotted tribal land, and (2) the value of the allotment of each allottee who is living on the date of this Act, excluding the value of any improvements thereon. Where lands of a living allottee have been sold under the supervision of the Secretary, their values for the purpose of equalization shall be the amount received from such sale, excluding the value assigned to any improvements thereon. Where lands of a living allottee have been fee patented to and sold by the allottee, their value for the purpose of equalization shall be the appraised value of the lands, excluding improvements, as of the time ⊥of the sale, regardless of the amount received from the sale. The ⊥603 allotments of allottees who are not living on the date of this Act shall be excluded from the equalization program. All values so determined by the Secretary shall be final and conclusive for the purposes of this Act.

Land values

(b) In no event shall the following tribal lands be subject to allotment, and they shall henceforth be set apart and designated as tribal reserves for the benefit and use of the band:

Cemetery numbered 1, block 235, section 14, township 4 south, range 4 east.

Cemetery numbered 2, as now constituted pursuant to secretarial order, comprising approximately two acres.

Roman Catholic Church, as now constituted pursuant to secretarial order, comprising approximately two acres.

Mineral Springs, lots 3a, 4a, 13, and 14, section 14, township 4 south, range 4 east: *Provided,* That no distribution to member of the band of the net rents, profits, and other revenues derived from that portion of these lands which is designated as "parcel B" in the supplement dated September 8, 1958, to the lease by and between the Agua Caliente Band of Mission Indians and Palm Springs Spa dated January 21, 1958, or of the net income derived from the investment of such net rents, profits, and other revenues or from the sale of said lands or of assets purchased with the net rents, profits, and other revenues aforesaid or with the net income from the investment thereof shall be made except to those enrolled members who are entitled to an equalization allotment or to a cash payment in satisfaction thereof under this Act or, in the case of such a member who died after the enactment of this Act, to those entitled to participate in his estate, and any such distribution shall be per capita to living enrolled members and per stirpes to participants in the estate of a deceased member.

San Andreas Canyon, west half southeast quarter, southeast quarter southeast quarter section 3, township 5 south, range 4 east.

Palm Canyon, south half and south half north half section 14,

township 5 south, range 4 east; all section 24, township 5 south, range 4 east.

Tahquitz Canyon, southwest quarter section 22, township 4 south, range 4 east; north half section 28, township 4 south, range 4 east.

Murray Canyon, east half section 10, township 5 south, range 4 east.

(c) On the basis of such values, the Secretary shall determine the highest level of equalization that is feasible for the members of the band who are living at the time of this Act by allotting all of the unallotted tribal land, except the reserved areas listed in subsection (b) of this section, without regard to acreage limitations heretofore imposed by law. Such unallotted tribal land shall then be allotted to those members who have received allotments with a value that is less than the equalization figure deemed feasible in accordance with procedures prescribed by the Secretary. No selection of an allotment pursuant to such procedures shall create a vested right in the land until all selections authorized by this Act have been made, included in one schedule, and approved by the Secretary. Allotments thereafter made shall be subject to the same laws and regulations that apply to other trust allotments on the Agua Caliente Reservation.

(d) The unallotted portions of section 18, township 4 south, range 5 east, and section 12, township 4 south, range 4 east, that are in the municipal airport for the city of Palm Springs shall be subject to allotment as a part of the equalization program, subject to the following qualifications: If within thirty days after the date of this Act a majority of the adult members of the band who are eligible to vote agree, the Secretary may offer to sell such land to the city for its ⊥appraised value on the date of this Act, and the Secretary shall cause an independent appraisal thereof to be made by an appraiser he shall select who shall be approved jointly by the band and the city before proceeding with such appraisal, the costs for the appraisal to be shared by the band and the city; thereafter the Secretary shall review the completed appraisal and shall, if approved, then submit copies to both the band and the city for their approval which shall be either accepted or rejected in writing within thirty days; and if within three hundred and sixty-five days after joint acceptance of such appraisal by the band and the city, the city accepts the offer and tenders payment in full, the Secretary shall complete the sale, and any allottees who may have made or who may thereafter make an equalization selection from the lands sold to the city shall receive in lieu of the allotment selected his proportionate share of the proceeds of the sale.

Sale of land.

⊥604

Appointment of guardians.

SEC. 4. The Secretary shall request the appointment of a guardian of the estate of all minor allottees and for those adult allottees who in his judgment are in need of assistance in handling their affairs in accordance with applicable State laws before making any equalization allotment or payment to such persons.

Tax exemption.

SEC. 5. (a) The right to an equalization allotment or to a cash payment in lieu thereof pursuant to section 3, subsection (d), of this Act, shall be transferable by will or descent in the same manner as are trust payments under existing law and shall not be subject to State or Federal inheritance, estate, legacy, or succession taxes.

(b) A cash payment made in lieu of an equalization allotment pursuant to section 3, subsection (d), of this Act shall not be regarded as income or capital gain for purposes of Federal or State income taxation and shall not, as long as it remains in the form of cash or a bank deposit in the ownership of the allottee, be subject to taxation as personal property.

Attachments or levies.

SEC. 6. (a) Equalization allotments made pursuant to this Act shall not be subject to assignment, sale, or hypothecation or to any attachment or levy for claims or debts created before or after the effective date of this Act, without the written approval of the Secretary, and

any such assignment, sale, hypothecation, attachment, or levy that has not been so approved by the Secretary shall be absolutely null and void.

(b) No equalization allotment made pursuant to this Act, and no basic allotment made prior to this Act, shall be subject to an equitable charging lien or other charge or lien or enforced sale for any advantage or benefit which the allottee has received or will receive under or as a consequence of enactment of this Act, nor shall any lis pendens heretofore or hereafter filed upon such lands while in a restricted status be of any effect or constitute notice of any action. Whoever directly or indirectly accepts or receives any money or other form of compensation for legal services in connection with such restricted lands from any person who has not expressly employed him as his attorney shall be liable, in a civil action brought by the payor or his heirs or devisees or by the United States on his behalf, for twice the amount so accepted or received unless, prior to the time of acceptance or receipt of said compensation, the right to such compensation has been determined and the amount thereof fixed by a formal order of the Federal court having jurisdiction to make such order. Nothing herein provided shall be construed to prevent any attorney from petitioning the Federal court having jurisdiction to fix and determine the fees to which he is entitled and to pursue and enforce payment thereof in any lawful manner after the court has made such order. Legal services, etc.

⊥SEC. 7. Allotments in accordance with the provisions of this Act shall be deemed complete and full equalization of allotments on the Agua Caliente Reservation. ⊥605

SEC. 8. The band may, at any time it wishes to do so, organize a legal entity under the laws of the State of California and request the Secretary to transfer to such legal entity title to the lands in the reserves established by subsection 3(b) of this Act. The Secretary shall transfer an unrestricted title to such property if the organization of the legal entity and request for the transfer have been approved by a majority of the adult members of the band who are eligible to vote, and if in the judgment of the Secretary the legal entity is organized in a form and manner that is fair to all members of the band: *Provided, however,* That if the lands to which the proviso to the fourth item in subsection 3(b) of this Act is applicable are transferred to such an entity, they shall be held by it subject to the terms provided in said proviso, and the rights and duties therein set forth shall be preserved and reflected in any distribution of securities of, or other evidences of participation in, said entity. Legal entity, organization

Approved, September 21, 1959.

PUBLIC LAW 86-341

AN ACT

To extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

September 21, 1959
[H. R. 8609]
73 Stat. 606

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—AMENDMENTS TO THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

68 Stat. 454.
7 U. S. C. 1691 note.

* * *

⊥SEC. 11. Title III of such Act is amended by adding at the end thereof the following new section: ⊥608
68 Stat. 458.
7 U. S. C. 1427, 1431, 1692-1694.

"SEC. 306. (a) In order to promote the general welfare, raise the levels of health and of nourishment for persons whose incomes prevent them from enjoying adequate diets, and dispose in a beneficial manner of food commodities acquired by the Commodity Credit Corpo- Food stamp system.

ration or the Department of Agriculture in carrying out price support operations or diverted from the normal channels of trade and commerce under section 32 of the Act of August 24, 1935, as amended, the Secretary of Agriculture (in this section referred to as the 'Secretary') is hereby authorized to promulgate and put into operation a program to distribute to needy persons in the United States, including needy Indians, through a food stamp system such surplus food commodities. Such program shall provide for the distribution of such surplus food commodities only during the period beginning February 1, 1960, and ending January 31, 1962. The cost of such program, including the cost to the Federal Government of acquiring, storing, and handling such surplus food commodities, shall not exceed $250,000,000 in any 12-month period beginning February 1 and ending January 31.

49 Stat. 774.
7 U. S. C. 612c.

Cost limitation

"(b) In carrying out such program, the Secretary shall—

"(1) distribute surplus food made available by the Secretary for distribution under this program only when requested to do so by a State or political subdivision thereof;

"(2) issue, or cause to be issued, pursuant to subsection (c), food stamps redeemable by eligible needy persons for such types and quantities of surplus food as the Secretary shall determine;

"(3) distribute surplus food in commercially packaged form, preferably through normal channels of trade;

"(4) establish standards under which, pursuant to subsection (c), the welfare authorities of any State or political subdivision thereof may participate in the food stamp plan for the distribution of surplus foods to the needy;

"(5) consult the Secretary of Health, Education, and Welfare, and the Secretary of Labor, in establishing standards for eligibility for surplus foods and in the conduct of the program generally to assure achievement of the goals outlined in subsection (a) of this section; and

"(6) make such other rules and regulations as he may deem necessary to carry out the purpose of this section.

Issuance of food stamps.

"(c) The Secretary shall issue, to each welfare department or equivalent agency of a State or political subdivision requesting the distribution of surplus food under subsection (b) (1), food stamps for each kind of surplus food to be distributed, in amounts based on the total amount of surplus food to be distributed and on the total number of needy persons in the various States and political subdivisions eligible to receive such food. The food stamps shall be issued by each such welfare department or equivalent agency to needy persons receiving welfare assistance, or in need of welfare assistance but ineligible because of State or local law, and shall be redeemable by such needy persons at local distribution points to be determined by the Secretary under subsection (b) (3).

49 Stat. 620.
42 U. S. C. 1305.

"(d) Receipt by any person of benefits under this section shall not be deemed to be income or resources under the provisions of the Social Security Act or any other Federal legislation pertaining to the security of the aged, blind, disabled, dependent children, unem-⊥ployed, or other similar groups. Any State or local subdivision thereof which decreases the cash or other assistance extended to any person or group as a consequence of the assistance made available under this section shall be ineligible for further participation under this section.

⊥609

63 Stat. 1051.
7 U. S. C. 1421 note.

"(e) Surplus foods to be distributed under this section shall be limited to surplus foods acquired under the Agricultural Act of 1949 or diverted from the normal channels of trade under Section 32 of Public Law 320, 74th Congress.

7 U. S. C. 612c.

Needy person.

"(f) For the purposes of this section, a needy person is anyone receiving welfare assistance (financial or otherwise) from the welfare department or equivalent agency of any State or political subdivision

thereof, or who is, in the opinion of such agency or agencies, in need of welfare assistance but is ineligible to receive it because of State or local law.

Report to Congress

"(g) The Secretary of Agriculture, in consultation with the Secretary of Health, Education, and Welfare and the Secretary of Labor, shall make a study of, and shall report to Congress within six months after the date of enactment of this section, on the feasibility of, the costs of, and the problems involved in, extending the scope of the food stamp plan established by this section to include persons receiving unemployment compensation, receiving old-age and survivors insurance (social security) pensions, and other low-income groups not eligible to receive food stamps under this section.

Appropriation

"(h) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this section."

* * *

Approved, September 21, 1959.

PUBLIC LAW 86-342

AN ACT

September 21, 1959
[H. R. 8678]
73 Stat. 611

To amend the Federal-Aid Highway Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—FEDERAL-AID HIGHWAY PROGRAM

SEC. 101. SHORT TITLE.

Federal-Aid Highway Act of 1959.

This Act may be cited as the "Federal-Aid Highway Act of 1959".

* * *

SEC. 107. EMERGENCY RELIEF.

72 Stat. 901.

(a) That section 125 of title 23, United States Code, is amended to read as follows:

"§ 125. EMERGENCY RELIEF

"(a) An emergency fund is authorized for expenditure by the Secretary, subject to the provisions of this section and section 120, for the repair or reconstruction of highways, roads, and trails which he shall find have suffered serious damage as the result of disaster over a wide area, such as floods, hurricanes, tidal waves, earthquakes, severe storms, landslides, or other catastrophes in any part of the United States. The appropriation of such moneys, not to exceed $30,000,000, as may be necessary for the initial establishment of this fund and for its replenishment on an annual basis is authorized. Pending such appropriation or replenishment the Secretary may expend from any funds heretofore or hereafter appropriated for expenditure in accordance with the provisions of this title, including existing Federal-aid appropriations, such sums as may be necessary for the immediate prosecution of the work herein authorized, such appropriations to be reimbursed from the appropriations herein authorized when made.

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⊥"(b) The Secretary may expend funds from the emergency fund herein authorized for the repair or reconstruction of highways on the Federal-aid highway systems, including the Interstate System, in accordance with the provisions of this chapter. Except as to highways, roads, and trails mentioned in subsection (c) of this section, no funds shall be so expended unless the Secretary has received an application therefor from the State highway department, and unless an emer-

gency has been declared by the Governor of the State and concurred in by the Secretary.

"(c) The Secretary may expend funds from the emergency fund herein authorized, either independently or in cooperation with any other branch of the Government, State agency, organization, or person, for the repair or reconstruction of forest highways, forest development roads and trails, park roads and trails, and Indian reservation roads, whether or not such highways, roads, or trails are on any of the Federal-aid highway systems."

72 Stat. 899. (b) Subsection (f) of section 120 of title 23, United States Code, is amended to read as follows:

"(f) The Federal share payable on account of any repair or reconstruction provided for by funds made available under section 125 of this title shall not exceed 50 per centum of the cost thereof, except that the Federal share payable on account of any repair or reconstruction of forest highways, forest development roads and trails, park roads and trails, and Indian reservation roads may amount to 100 per centum of the cost thereof, whether or not such highways, roads, or trails are on any Federal-aid highway system. Any project agreement for which the final voucher has not been approved by the Secretary on or before the date of this Act may be modified to provide for the Federal share authorized herein."

* * *

Approved, September 21, 1959.

PUBLIC LAW 86-383

September 28, 1959
[H. R. 8385]

73 Stat. 717

AN ACT

Making appropriations for Mutual Security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mutual Security Appropriation Act, 1960

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1960, namely:

* * *

1723 ⊥TITLE IV—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS

* * *

1724 ⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PUBLIC HEALTH SERVICE

* * *

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For an additional amount for "Construction of Indian health facilities", including the purposes of Public Law 86-121, approved July 31, 1959, $200,000.

Ante, p. 267.

* * *

1725 ⊥DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

DISTRIBUTION OF FUNDS OF THE CREEK INDIANS

For an additional amount for necessary expenses incident to the distribution of funds belonging to members of the Creek Nation of Indians, in accordance with the Act of August 1, 1955 (69 Stat. 431), as amended, $100,000, to remain available until expended.

25 U. S. C. 781-785.

* * *

Approved, September 28, 1959.

PUBLIC LAWS OF THE EIGHTY-SIXTH CONGRESS, SECOND SESSION, 1960

PUBLIC LAW 86-386

AN ACT

February 20, 1960
[S. 2379]
74 Stat. 4

To donate to the Nez Perce Tribe of Idaho approximately 11.25 acres of Federal land in Idaho County, Idaho.

Indians.
Nez Perce Tribe, Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the following-described land and improvements thereon, formerly known as the Kamiah Day School Reserve, is hereby declared to be held by the United States of America in trust for the Nez Perce Tribe: South half east half north half, east half south half, east half west half south half of lot 11, section 7, township 33 north, range 4 east, Boise meridian, in Idaho County, Idaho, containing 11.25 acres.

Approved, February 20, 1960.

PUBLIC LAW 86-392

AN ACT

March 18, 1960
[S. 2268]
74 Stat. 5

To declare that the United States holds title to certain land in trust for the White Mountain Apache Tribe, Arizona.

White Mountain Apache Tribe, Ariz.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to the lands, together with the improvements thereon, included in the former Fort Apache Military Reservation, created by Executive order of February 1, 1877, and subsequently set aside by the Act of January 24, 1923 (42 Stat. 1187), as a site for the Theodore Roosevelt School, located within the boundaries of the Fort Apache Indian Reservation, Arizona, are hereby declared to be held by the United States in trust for the White Mountain Apache Tribe, subject to the right of the Secretary of the Interior to use any part of the land and improvements for administrative or school purposes for as long as they are needed for that purpose.

25 U. S. C. 277.

Approved, March 18, 1960.

PUBLIC LAW 86-401

AN ACT

April 4, 1960
[H. R. 24]
74 Stat. 12

To provide that certain real property of the United States situated in the State of Nevada shall be held in trust for members of the Fort McDermitt Paiute and Shoshone Tribe of Indians of the Fort McDermitt Indian Reservation, Nevada.

McDermitt, Paiute and Shoshone Indians.
Lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to the real property described in section 2 of this Act and lying within the Fort McDermitt Indian Reservation, Nevada, is hereby declared to be held in trust by the United States for the use and benefit of the members of the Fort McDermitt Paiute and Shoshone Tribe of Indians of the Fort McDermitt Indian Reservation, Nevada.

SEC. 2. The real property referred to in the first section of this Act is more particularly described as the south half northeast quarter and north half southeast quarter section 7, township 47 north, range 39 east, Mount Diablo base and meridian, Nevada, containing 160 acres more or less.

113

SEC. 3. This Act shall become effective upon agreement by the Fort McDermitt Paiute and Shoshone Tribe of Indians to eliminate from their suit now pending before the Indian Claims Commission under the Act of August 13, 1946 (60 Stat. 1049), any claim based on alleged inadequate compensation for the lands involved in this Act and to

25 U. S. C. 70-70v.

renounce any other claim they may have with respect thereto. If the lands involved herein are not embraced within said suit, the transfer hereby authorized shall be considered by way of offset under section 2 of said Act. Nothing contained in this Act shall be construed as an admission of liability on the part of the United States with respect to these or any other lands.

25 U. S. C. 70a.

Approved, April 4, 1960.

PUBLIC LAW 86–403

AN ACT

April 4, 1960
[H. R. 6136]
74 Stat. 13

To authorize the sale of certain tribal land of the Lac du Flambeau Band of Lake Superior Chippewa Indians, Wisconsin.

Lake Superior Chippewa Indians.
Sale of land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of perfecting land titles and resolving conflicts or disputes in boundaries caused by erroneous original cadastral surveys, the Lac du Flambeau Band of Lake Superior Chippewa Indians is authorized to sell, with the approval of the Secretary of the Interior, any tribal trust land or interest therein, at not less than the fair market value thereof.

Approved, April 4, 1960.

PUBLIC LAW 86–421

AN ACT

April 9, 1960
[H. R. 6329]
74 Stat. 40

To convey certain land in McKinley County, New Mexico, to the Navajo Tribe of Indians.

Navajo Indians.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order that the Navajo Indian Tribe might enjoy the continued use of lands described in section 2 hereof upon which they have expended considerable funds in improvements and in order that they might construct further extensive community improvements and facilities, all of the right, title, and interest of the United States in the lands described ⊥in section 2 hereof are hereby conveyed to the Navajo Indian Tribe, and such land shall not, because of Indian ownership, be subject to any exemption from taxation or to any restriction on use, management, or disposition.

⊥41

SEC. 2. The lands are described as follows: A plot of land containing 81.33 acres, more or less, lying in the west half of section 30, township 17 north, range 12 west, New Mexico principal meridian, being more particularly described as follows: Beginning at the quarter corner on the west side of section 30; thence south 00 degrees 10 minutes 11 seconds east along the section line 1,186.8 feet; thence east 1,939.6 feet; thence north 1,210.2 feet; thence north 15 degrees 44 minutes east 476.2 feet; thence west 202.1 feet; thence north 145.1 feet; thence west 1,873.6 feet to a point on the section line between said section 30 and section 25; thence south 00 degrees 10 minutes 11 seconds east 624.6 feet to the place of beginning, containing 81.33 acres, more or less. All points are marked by an iron stake surrounded by a mound of rocks.

Approved, April 9, 1960.

PUBLIC LAW 86–424

AN ACT

April 13, 1960
[H. R. 10743]
74 Stat. 42

Making supplemental appropriations for the fiscal year ending June 30, 1960, and for other purposes.

Second Supplemental Appropriation Act, 1960.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act

may be cited as the "Second Supplemental Appropriation Act, 1960") for the fiscal year ending June 30, 1960, and for other purposes, namely:

* * *

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥45

* * *

PUBLIC HEALTH SERVICE

* * *

INDIAN HEALTH ACTIVITIES

For an additional amount for "Indian health activities", $200,000.

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥47

* * *

BUREAU OF INDIAN AFFAIRS

RESOURCES MANAGEMENT

For an additional amount for "Resources management", $310,000.

* * *

Approved, April 13, 1960.

PUBLIC LAW 86-433

AN ACT

April 22, 1960
[H. R. 7359]
74 Stat. 74

To direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

Colorado River Commission, Nev.
Conveyance
Definitions.

(a) The term "Secretary" shall mean the Secretary of the Interior.

(b) The term "Commission" shall mean the Colorado River Commission of the State of Nevada.

(c) The term "State" shall mean the State of Nevada.

(d) The term "transfer area" shall mean all of the lands and interests in land owned by the United States and described in section 2 of this Act, except (1) lands in which the Fort Mohave Indian Tribe holds an interest, (2) lands excluded at the request of the Commission because of conflict with a mining claim or claims, and (3) lands or interests in land reserved to the United States pursuant to section 7 of this Act.

* * *

Approved, April 22, 1960.

PUBLIC LAW 86-445

AN ACT

April 29, 1960
[S. 2877]
74 Stat. 85

To donate to the Keweenaw Bay Indian Tribe, L'Anse Reservation of Michigan, a certain tract of Federal land with improvements located thereon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the land described below, together with the buildings and improvements thereon, is hereby declared to be held in trust for the Keweenaw Bay Indian Tribe, L'Anse Reservation, Michigan: A tract of land in the northeast quarter southeast quarter of section 28, township 51 north, range 33 west, Michigan meridian, more particularly described as follows: Beginning at the quarter post between sections 27 and 28 thence west

Keweenaw Bay Indian Tribe
Conveyance

on quarter line a distance of 33 feet as the place of beginning: thence west on quarter line a distance of 100 feet; thence south 150 feet; thence east 100 feet; thence north a distance of 150 feet to the place of beginning, containing 15,000 square feet, or 0.34 acres more or less.

Approved, April 29, 1960.

PUBLIC LAW 86-447

AN ACT

April 29, 1960
[S. 2877]
74 Stat. 85

To authorize the reconveyance of tribally owned lands by the Muckleshoot Indian Tribe of the State of Washington to the original allottees, their heirs, devisees, or assigns.

Muckleshoot Indian Tribe.
Reconveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the constitution, bylaws, and corporate charter of the Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington, the Tribal Council of the Muckleshoot Indian Tribe may, with the approval of the Secretary of the Interior, reconvey to the former owners or their heirs or devisees all of the right, title, and interest which the tribe and the United States acquired in restricted allotted lands in exchange for assignments of tribal lands. Each such conveyance shall have the same force and effect as the patent issued to the original allottee.

Approved, April 29, 1960.

PUBLIC LAW 86-450

AN ACT

May 6, 1960
[S. 175]
74 Stat. 92

To place in trust status certain lands on the Wind River Indian Reservation in Wyoming.

Wind River Indian Reservation, Wyo.

June 11, 1960
[H. R. 7681]
74 Stat. 205

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in and to the following-described tracts of land on the Wind River Indian Reservation in Wyoming shall hereafter be held in trust by the United States for the benefit of the Shoshone and Arapahoe Tribes of said reservation:

Section 28, township 1 north, range 1 east, Wind River meridian:

(1) South half, southwest quarter, southwest quarter, northwest quarter, comprising 5.0 acres more or less.

Section 32, township 5 north, range 4 west, Wind River meridian:

(2) Beginning at a point 553.8 feet south of the corner of sections 29, 30, 31, and 32; said point being corner numbered 1; thence south 106.2 feet to corner numbered 2 which is identical with the southwest corner of northwest quarter northwest quarter northwest quarter, section 32; thence east 200 feet to corner numbered 3, thence north 106.2 feet to corner numbered 4; thence west 200 feet to corner numbered 1 and place of beginning, comprising 0.487 acres.

(3) Beginning at a point 118.2 feet south of the corner of sections 29, 30, 31, and 32; said point being corner numbered 1; thence south 435.6 feet to corner numbered 2; thence east 200 feet to corner numbered 3; thence north 435.6 feet to corner numbered 4; thence west 200 feet to point of beginning, or described as a 2-acre tract in the northwest quarter northwest quarter, section 32.

(4) West half southwest quarter northwest quarter northwest quarter, section 32, comprising 5.0 acres.

Approved, May 6, 1960.

Agriculture Department.
Transfer of functions.

1205

Mineral policies.
Authorization.

PUBLIC LAW 86-455

AN ACT

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

May 13, 1960
[H. R. 10401]

74 Stat. 104

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1961, namely:

Department of Interior and Related Agencies Appropriation Act, 1961.

TITLE I—DEPARTMENT OF THE INTERIOR

DEPARTMENTAL OFFICES

* * *

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $3,248,000, and in addition, not to exceed $130,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided,* That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedure Act (60 Stat. 237), as amended.

5 U. S. C. 1001 note.

* * *

⊥BUREAU OF INDIAN AFFAIRS

⊥106

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $63,669,000.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts as authorized by law; $23,084,000, and in addition, $754,000 of the Revolving Fund for Loans, Bureau of Indian Affairs, shall be used in connection with administering loans to Indians; *Provided,* That the Secretary of the Interior is authorized to expend income received from leases on lands on the Colorado River Indian Reservation (southern and northern reserves) for the benefit of the Colorado River Indian Tribes and their members during the current fiscal year, or until beneficial ownership of the lands has been determined if such determination is made during the current fiscal year.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and

architectural and engineering services by contract; $14,215,000, to remain available until expended: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations.

Restrictions.

⊥107

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in section 106 of the Federal-Aid Highway Act of 1956 (70 Stat. 376), section 6 of the Federal-Aid Highway Act of 1958 (72 Stat. 93) and the Act of August 23, 1958 (72 Stat. 834), $14,500,000, to remain available until expended.

25 U. S. C. 631 and note.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $3,739,000.

LIQUIDATION OF KLAMATH AND MENOMINEE AGENCIES

For expenses necessary for the liquidation of the Klamath and Menominee Indian Agencies in terminating supervision over the property of the Klamath and Menominee Tribes of Indians and the individual members thereof, $150,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed two hundred and ninety passenger motor vehicles (including twenty-five for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year) for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), the Act of August 3, 1956 (70 Stat. 986), and legislation terminating Federal supervision over certain Indian tribes; purchases of ice for official use of employees; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458.
25 U. S. C. 309, 309a.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of

May ⊥27, 1930 (46 Stat. 391), including cash grants; and employment of a recreational director for the Menominee Reservation and a curator for the Osage Museum, each of whom shall be appointed with the approval of the respective tribal councils and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation, except as provided for by the Act of July 24, 1956 (70 Stat. 627).

⊥108

Restriction.

* * *

⊥TITLE II—RELATED AGENCIES

⊥114

* * *

⊥INDIAN CLAIMS COMMISSION

⊥117

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $195,800, of which not to exceed $6,500 shall be available for expenses of travel.

60 Stat. 1049

* * *

Approved, May 13, 1960.

PUBLIC LAW 86-505

AN ACT

June 11, 1960
[S. 2456]

74 Stat. 199

To amend the Act of April 19, 1950 (64 Stat. 44; 25 U. S. C. 635) to better promote the rehabilitation of the Navajo and Hopi Tribes of Indians, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to promote the rehabilitation of the Navajo and Hopi Tribes of Indians and a better utilization of the resources of the Navajo and Hopi Indian Reservations, and for other purposes", approved April 19, 1950 (64 Stat. 46; 25 U. S. C. 635), is amended by inserting "(a)" before the present text and by adding the following subsections (b) and (c):

Navajo and Hopi Tribes.
Rehabilitation.

"(b) Notwithstanding any other provision of law, land owned in fee simple by the Navajo Tribe may be leased, sold, or otherwise disposed of by the sole authority of the Navajo Tribal Council, in any manner that similar land in the State in which such land is situated may be leased, sold, or otherwise disposed of by private landowners, and such disposition shall create no liability on the part of the United States.

Lands, disposition.

"(c) The Secretary of the Interior is authorized to transfer, upon request of the Navajo Tribal Council, to any corporation owned by the tribe and organized pursuant to State law, or to any municipal corporation organized under State law, legal title to or a leasehold interest in any unallotted lands held for the Navajo Indian Tribe, and thereafter the United States shall have no responsibility or liability for, but on request of the tribe shall render advice and assistance in, the management, use, or disposition of such lands."

SEC. 2. The second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended by the Act of September 21, 1959 (73 Stat. 597), is amended by inserting after the words "Agua Caliente (Palm Springs) Reservation" the words "and on the Navajo Reservation".

25 U. S. C. 415

Approved, June 11, 1960.

PUBLIC LAW 86–506

June 11, 1960
[S. 2286]

74 Stat. 199

AN ACT

To authorize the leasing of certain land in Arizona which comprises a part of the Colorado River Indian Reservation, and for other purposes.

Colorado River Indian Reservation, Ariz.-Calif.

Leasing of lands.

25 U.S.C. 415; 25 U.S.C. 396a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, until a determination has been made of the beneficial ownership of the lands on the Colorado River Reservation, Arizona and California, that were set apart by the United States for the Indians of the Colorado River and its tributaries, the Secretary of the Interior is authorized to lease any unassigned lands on the reservation which are located within Arizona and to approve leases made by the holders of assignments heretofore made, for such uses and terms as are authorized by the Act of August 9, 1955 (69 Stat. 539), and by the Act of May 11, 1938 (52 Stat. 347). Income received from such leases of unassigned lands may be expended or advanced by the Secretary for the benefit of the Colorado River Indian tribes and their members. Income received from such leases of assigned lands may be expended or advanced by the Secretary for the benefit of the assignee.

Approved, June 11, 1960.

PUBLIC LAW 86–509

AN ACT

To enact the provisions of Reorganization Plan Numbered 1 of 1959 with certain amendments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, except as otherwise provided in section 2 hereof, the following functions are hereby transferred to the Secretary of Agriculture:

* * *

(j) The functions of the Secretary of the Interior under section 2 (b) of the Joint Resolution of August 8, 1947 (61 Stat. 921), with respect to appraisals and sales of certain lands within the Tongass National Forest.

* * *

⊥SEC. 2. (a) In no case covered by subsections (a), (b), (e), (g), and (h) of section 1 hereof shall the exchange provide for the patenting of land by the United States without a reservation of minerals (1) unless the Secretary of Agriculture has obtained the advice of the Secretary of the Interior that the land is nonmineral in character, or (2) unless the Secretary of the Interior approves of the valuation and disposition of the minerals in the lands to be patented. A sale of land covered by subsection (j) of section 1 hereof shall be made by the Secretary of Agriculture without a reservation of minerals only after consultation with, and the approval of, the Secretary of the Interior as to the valuation and disposition of the minerals. No lands of the United States shall be exchanged in any case covered by subsection (f) of section 1 hereof unless the Secretary of Agriculture has obtained the advice of the Secretary of the Interior that such lands are nonmineral in character.

(b) Nothing in this Act shall be construed to authorize the Secretary of Agriculture to determine or adjudicate the validity or invalidity of any mining claim or part thereof.

(c) Nothing in subsection (l) of section 1 hereof shall be construed to authorize the Secretary of Agriculture to dispose of coal, phosphate, sodium, potassium, oil, oil shale, gas, or sulfur, or to dispose of any minerals which would be subject to disposal under the mining laws if said laws were applicable to the lands in which the minerals are situated.

(d) Upon approval by the Secretary of Agriculture pursuant to the provisions of this Act of any exchange or sale, respectively, of national forest lands under the provisions of law referred to in subsections (a), (b), (e), (f), (g), and (j) of section 1, hereof, the Secretary of the Interior, upon the recommendation of the Secretary of Agriculture, shall issue the patent therefor.

(e) All conveyances under the Act referred to in subsection (h) of section 1 hereof of national forest lands reserved from the public domain shall, upon recommendation of the Secretary of Agriculture, be made by the Secretary of the Interior.

Approved, June 11, 1960.

PUBLIC LAW 86-533

AN ACT

June 29, 1960
[S. 899]
74 Stat. 245

To repeal certain provisions of law requiring the submission of certain reports to Congress, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following provisions of law, which relate to the submission of certain reports to Congress or other Government authority, are hereby repealed, as follows:

Reports to Congress. Discontinuation of certain.

* * *

⊥(13) That part of section 13 of the Act of June 25, 1910 (36 Stat. 858; 43 U. S. C. 148), relating to the authority of the Secretary of the Interior to reserve certain Indian lands valuable for power or reservoir sites or for irrigation projects and his reports thereon, which reads as follows: ", and he shall report to Congress all reservations made in conformity with this Act".

⊥248

Interior Department. Indian lands.

(14) Section 3 of the Act entitled "An Act to authorize the President of the United States to make withdrawals of public lands in certain cases", approved June 25, 1910, as amended (36 Stat. 848; 43 U. S. C. 143), which reads as follows:

Land withdrawals.

"SEC. 3. That the Secretary of the Interior shall report all such withdrawals to Congress at the beginning of its next regular session after the date of the withdrawals".

(15) Section 4 of the Act entitled "An Act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes", approved April 16, 1943, as amended (49 Stat. 1459; 25 U. S. C. 455), which reads as follows:

Indians, welfare.

"SEC. 4. That the Secretary of the Interior shall report annually to the Congress any contract or contracts made under the provisions of this Act, and the moneys expended thereunder.".

(16) The last sentence of section 10 of the Act of June 18, 1934 (48 Stat. 986; 25 U. S. C. 470), providing for an annual report to Congress of transactions involving loans to Indians, which reads as follows: "A report shall be made annually to Congress of transactions under this authorization.".

* * *

Approved, June 29, 1960.

PUBLIC LAW 86-539

AN ACT

June 29, 1960
[H. R. 6456]
74 Stat. 252

Concerning payment of debts out of compensation for trust land on the Lower Brule Sioux Reservation taken by the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Notwithstanding any other provision of law, no part of the compensation for the property taken by the Act of September 2, 1958 (72 Stat. 1773, Public Law 85-

Lower Brule Sioux Indians.

923), shall be subject to any lien, debt, or claim of any nature whatsoever against the Lower Brule Sioux Tribe or individual Indians entitled to the compensation except delinquent debts owed by the tribe to the United States: *Provided*, That upon determination by the Secretary of the Interior that no hardship to the individual Indian debtor will result from the payment of delinquent debts, such compensation shall be subject to delinquent debts which are owing to the United States or to the tribe by the individual Indian entitled to the compensation for the property taken.

Approved, June 29, 1960.

PUBLIC LAW 86–540

AN ACT

June 29, 1960
[H. R. 10639]
74 Stat. 252

To amend section 3 (b) of the Act of May 9, 1958 (72 Stat. 105), relating to the preparation of a roll of the members of the Otoe and Missouria Tribe and to per capita distribution of judgment funds.

Otoe and Missouria Indians.
25 U. S. C. 873.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 (b) of the Act of May 9, 1958 (72 Stat. 105), is hereby amended by changing the period to a comma and by adding "or in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons."

Approved, June 29, 1960.

PUBLIC LAW 86–543

AN ACT

June 29, 1960
[H. R. 6498]
74 Stat. 254

Concerning payment of debts out of compensation for trust land on the Standing Rock Sioux Reservation taken by the United States.

Standing Rock Sioux Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provison of law, no part of the compensation for the property taken by the Act of September 2, 1958 (72 Stat. 1762, Public Law 85–915), shall be subject to any lien, debt, or claim of any nature whatsoever against the Standing Rock Sioux Tribe or individual Indians entitled to the compensation except delinquent debts owed by the tribe to the United States: *Provided*, That upon determination by the Secretary of the Interior that no hardship to the individual Indian debtor will result from the payment of delinquent debts, such compensation shall be subject to delinquent debts which are owing to the United States or to the tribe by the individual Indian entitled to the compensation for the property taken.

Approved, June 29, 1960.

PUBLIC LAW 86–544

AN ACT

June 29, 1960
[H. R. 6529]
74 Stat. 254

Concerning payment of debts out of compensation for trust land on the Crow Creek Sioux Reservation taken by the United States.

Crow Creek Sioux Indians.

72 Stat. 1766.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Notwithstanding any other provision of law, no part of the compensation for the property taken by the condemnation proceedings referred to in section 1 of the Act of September 2, 1958, Public Law 85–916, shall be subject to any lien, debt, or claim of any nature whatsoever against the Crow Creek Sioux Tribe or individual Indians entitled to the compensation, except delinquent debts owed by the tribe to the United States: *Provided*, That upon determination by the Secretary of the Interior that no hardship to the individual Indian debtor will result from the payment of the debt, such compensation shall be subject to delinquent debts

which are owing to the United States or to the tribe by the individual Indian entitled to the compensation for the property taken.

Approved, June 29, 1960.

PUBLIC LAW 86-548

AN ACT

June 29, 1960
[H. R. 9028]
74 Stat. 256

To provide that certain funds shall be paid to the Kickapoo Tribal Council of Oklahoma.

Kickapoo Tribal Council of Oklahoma Payment

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall pay to the Kickapoo Tribal Council of Oklahoma the unexpended balances of funds in the Treasury of the United States under the following symbols and titles:

(1) 14X7053 Kickapoos in Oklahoma Fund;

(2) 14X7553 Interest and Accruals on Interest, Kickapoos in Oklahoma Fund.

The funds paid the Kickapoo Tribal Council of Oklahoma under this Act shall be used for the rebuilding and repair of the Kickapoo tribal community house near McLoud, Oklahoma, and for other tribal business purposes.

Approved, June 29, 1960.

PUBLIC LAW 86-549

AN ACT

June 29, 1960
[H. H. 11161]
74 Stat. 256

To donate to the pueblos of Zia and Jemez a tract of land in the Ojo del Espiritu Santo grant, New Mexico.

Ojo del Espiritu Santo grant Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title of the United States to the following land and the improvements thereon in Sandoval County, New Mexico, is hereby declared to be held by the United States in trust for the pueblos of Zia and Jemez subject to a reservation in the United States of the right to make any part of the land west of State Highway 44 available under terms prescribed by the Secretary of the Interior for the gathering and shipment of non-Indian cattle: A tract of unsurveyed land containing approximately 640 acres and the improvements thereon which when surveyed will probably be described as the west half section 15 and east half section 16, township 17 north, range 1 west, New Mexico principal meridian, being that tract of land excepted from the area described in section 1 of the Act of August 2, 1956 (70 Stat. 941).

Approved, June 29, 1960.

PUBLIC LAW 86-581

AN ACT

July 5, 1960
[H. R. 4786]
74 Stat. 319

Declaring certain lands to be held in trust for the Cheyenne River Sioux Tribe of Indians of South Dakota.

Cheyenne River Sioux Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the following described land in Dewey County, South Dakota, together with the improvements thereon, is hereby declared to be held by the United States in trust for the Cheyenne River Sioux Tribe: A part of the southeast quarter of southeast quarter of section 26, township 14 north, range 28 east, more particularly described as follows:

Commencing at the southeast corner of the southeast quarter of southeast quarter of said section 26; thence north, on the section line, 476 feet to a point which is 150 feet, measured southerly at right angles, from the centerline of the main track of the Chicago, Milwau-

kee and Saint Paul Railway Company; thence westerly, parallel to said centerline of railway and 150 feet southerly therefrom, to the west line of the southeast quarter of southeast quarter of said section 26; thence south of said west line, 605 feet, more or less, to the south line of said section 26; thence east, on said south line, to the place of beginning; containing 16.05 acres, more or less.

SEC. 2. Said land shall be subject to the same provisions of law and departmental rules and regulations that govern the Cheyenne River Sioux Reservation.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

25 U. S. C. 70a

Approved, July 5, 1960.

July 12, 1960
[H. R. 4386]
74 Stat. 469

PUBLIC LAW 86-634

AN ACT

To amend title 18 of the United States Code to make it unlawful to destroy, deface, or remove certain boundary markers on Indian reservations, and to trespass on Indian reservations to hunt, fish, or trap.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18, United States Code, is amended by adding the following new section:

Indians.
Reservation boundary markers, removal

"§ 1164. DESTROYING BOUNDARY AND WARNING SIGNS

"Whoever willfully destroys, defaces, or removes any sign erected by an Indian tribe, or a Government agency (1) to indicate the boundary of an Indian reservation or of any Indian country as defined in section 1151 of this title or (2) to give notice that hunting, trapping, or fishing is not permitted thereon without lawful authority or permission, shall be fined not more than $250 or imprisoned not more than six months, or both."

SEC. 2. Amend title 18, United States Code, by adding the following new section:

"§ 1165. HUNTING, TRAPPING, OR FISHING ON INDIAN LAND

Whoever, without lawful authority or permission, willfully and knowingly goes upon any land that belongs to any Indian or Indian tribe, band, or group and either are held by the United States in trust or are subject to a restriction against alienation imposed by the United States, or upon any lands of the United States that are reserved for Indian use, for the purpose of hunting, trapping, or fishing thereon, or for the removal of game, peltries, or fish therefrom, shall be fined not more than $200 or imprisoned not more than ninety days, or both, and all game, fish, and peltries in his possession shall be forfeited."

SEC. 3. The chapter analysis of chapter 53, Indians, of title 18, United States Code, is amended by adding the following items:

18 U. S. C. 1151-1163

"1164. Destroying boundary and warning signs.
"1165. Hunting, trapping, or fishing on Indian land."

SEC. 4. Section 2137 of the Revised Statutes (25 U. S. C. 216) is hereby repealed.

Approved, July 12, 1960.

July 12, 1960
[H. R. 8295]
74 Stat. 470

PUBLIC LAW 86-636

AN ACT

To authorize the transfer to the Navajo Tribe of irrigation project works on the Navajo Reservation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to transfer to the Navajo Tribe all of the right, title, and interest of the United States to any irrigation project works, except the Reservoir Canyon and Moencopi Tuba project works, constructed or under construction by the United States within the Navajo Reservation prior to the date of approval of this Act, including machinery, equipment, tools, supplies, buildings, facilities, and improvements which are usable for the care, operation, and maintenance of such works and which are not needed for the continued efficient operation of the irrigation construction program within the Navajo Reservation: *Provided*, That no such transfer shall be made without the prior approval of the Navajo Tribe: *Provided further*, That the exclusion of Reservoir Canyon and Moencopi Tuba project works from the scope of this Act shall not be construed to affect in any way present ownership of or rights to use the land and water thereof.

Indians, Navajo Tribe.
Transfer of irrigation project works.

Exception.

SEC. 2. Prior to or at the time of each such transfer, the Secretary and the chairman of the Navajo Tribal Council shall agree on the number of Department of the Interior personnel who shall be provided by the Secretary to train tribal personnel and to assist in operating irrigation project works transferred to the tribe until such time as tribal personnel are trained and qualified to assume full responsibility for any such irrigation project works. The Secretary and the chairman shall also agree on the time during which such Department personnel shall be provided. The cost of their employment shall be paid by the tribe.

Personnel.

SEC. 3. The transfer to the Navajo Tribe pursuant to this Act of any irrigation project works located in whole or in part within the boundaries of the reservation established by executive order dated December 16, 1882, for the use and occupancy of the Moqui (Hopi) and such other Indians as the Secretary of the Interior may see fit to settle thereon shall not be construed to affect in any way the merits of the conflicting claims of the Navajo and the Hopi Indians to the use or ownership of the lands within said 1882 reservation.

SEC. 4. The irrigation project works transferred to the tribe pursuant to this Act and the land on which such works are located, shall be subject to no restriction on use, management, or disposition because of Indian ownership, but any such lands and project works and the income therefrom shall be exempt from all forms of taxation as long as, but no longer than, such lands and irrigation project works remain in the ownership of the Navajo Tribe or in the ownership of a legal entity controlled by the Navajo Tribe or its membership, unless otherwise provided by Congress.

Tax exemption.

Approved, July 12, 1960.

PUBLIC LAW 86-651

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes.

July 14, 1960
[H. R. 12740]
74 Stat. 529

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1961") for the fiscal year ending June 30, 1961, and for other purposes, namely:

Supplemental Appropriation Act, 1961

* * *

⊥512

⊥DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

TRIBAL FUNDS

For an additional amount for "Tribal funds", $500,000, to be derived from the funds to the credit of the Indians of California now on deposit in the Treasury (which funds are also known as the California Indians judgment fund), for payment of expenses, other than attorneys' fees, hereafter incurred by attorneys in prosecuting claims in Dockets Numbered 31 and 37, before the Indian Claims Commission, on behalf of the Indians of California (as defined in and enrolled under the Act of May 18, 1928, 45 Stat. 602, as amended), under contracts approved by the Secretary of the Interior: *Provided,* That expenditures from this fund shall be made only upon proper vouchers approved by the Secretary of the Interior: *Provided further,* That if the judgment recovered under Dockets Numbered 31 and 37 is distributed on any basis other than the roll prepared pursuant to the Act of May 18, 1928, as amended, the California Indians judgment fund shall first be reimbursed by the amount of the expenditures under this provision.

* * *

Approved, July 14, 1960.

PUBLIC LAW 86-657

July 14, 1960
[H. R. 10495]
74 Stat. 522

AN ACT

To authorize appropriations for the fiscal years 1962 and 1963 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Highway Act of 1960".

AUTHORIZATIONS

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated:

* * *

(6) For Indian reservation roads and bridges, $12,000,000 for the fiscal year ending June 30, 1962, and $12,000,000 for the fiscal year ending June 30, 1963.

* * *

FEDERAL-AID PARTICIPATION IN PUBLIC LAND STATES

72 Stat. 898.

SEC. 3. That section 120(a) of title 23, United States Code is hereby amended by striking out "unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal," and inserting in lieu thereof, "nontaxable Indian lands, individual and tribal, and public domain lands (both reserved and unreserved) exclusive of national forests and national parks and monuments,".

* * *

⊥524

⊥DEFINITIONS

SEC. 7. For the purposes of section 2 of this Act each of the following terms shall have the same meaning as is given it in section 101 of title 23 of the United States Code:

(1) Forest development roads and trails;

(2) Forest highway;
(3) Indian reservation roads and bridges;
(4) Park roads and trails;
(5) Parkway;
(6) Public lands highways;
(7) Federal-aid primary system;
(8) Federal-aid secondary system;
(9) Urban area.

* * *

Approved, July 14, 1960.

PUBLIC LAW 86-670

AN ACT

July 14, 1960
[H. R. 9786]
74 Stat. 545

To amend sections 511 and 512 of title 38, United States Code, to permit Indian war and Spanish-American War veterans to elect to receive pension at the rates applicable to veterans of World War I.

Veterans' pensions
Indian and Spanish American Wars
72 Stat. 1135

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 511 of title 38, United States Code, is amended by adding at the end thereof the following:

"(c) Any veteran eligible for pension under this section shall, if he so elects, be paid pension at the rates prescribed by section 521 of this title, and under the conditions (other than the service requirements) applicable to pension paid under that section to veterans of World War I. If pension is paid pursuant to such an election, the election shall be irrevocable."

SEC. 2. Section 512(a) of title 38, United States Code, is amended by adding at the end thereof the following:

"(3) Any veteran eligible for pension under this subsection shall, if he so elects, be paid pension at the rate prescribed by section 521 of this title, and under the conditions (other than the service requirements) applicable to pension paid under that section to veterans of World War I. If pension is paid pursuant to such an election, the election shall be irrevocable."

SEC. 3. This Act shall take effect on the first day of the second calendar month which begins after the date of enactment of this Act.

Effective date

Approved, July 14, 1960.

PUBLIC LAW 86-682

AN ACT

September 2, 1960
[H. R. 2339]
74 Stat. 578

To revise, codify, and enact into law, title 39 of the United States Code, entitled "The Postal Service".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the general and permanent laws relating to the Post Office Department and the postal service are revised, codified, and enacted as Title 39, United States Code—"The Postal Service", and may be cited as "39 U. S. Code, § ——", as follows:

The Postal Service.
Enactment as Title 39, U.S. Code.

TITLE 39—THE POSTAL SERVICE

* * *

⊥REPEALS

⊥708

SEC. 12.

* * *

(c) The sections or parts thereof of the Revised Statutes or Statutes at Large enumerated in the following schedule are hereby repealed. Rights or liabilities now existing under the sections or parts thereof repealed are not affected by this repeal:

* * *

1725

	⊥Statutes at Large				U. S. Code	
Date	Chapter	Section	Volume	Page	Title	Section
June 6	185	1	53	810	39	33

* * *

Approved, September 2, 1960.

PUBLIC LAW 86-690

AN ACT

September 2, 1960
[S. 2711]
74 Stat. 737

To quiet title to certain lands within the Nez Perce Indian Reservation, Idaho, and for other purposes.

Nez Perce Indian Reservation, lands in trust.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the lands within the Nez Perce Reservation, Idaho, now reserved for agency, school, or cemetery purposes is hereby declared to be held in trust for the Nez Perce Tribe of Indians, subject to the right of the United States to use said lands for agency, school, or administrative purposes.

SEC. 2. Nothing in this Act shall be construed as confirming or denying the claim that said lands have, since 1855 and up to the effective date of this Act been held in trust by the United States for the Nez Perce Tribe.

1738

⊥SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

25 U. S. C. 70a.

Approved, September 2, 1960.

PUBLIC LAW 86-703

AN ACT

September 2, 1960
[H. R. 11390]
74 Stat. 755

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes.

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1961.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, and Health, Education and Welfare, and related agencies, for the fiscal year ending June 30, 1961, namely:

* * *

1760

⊥TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Department of Health, Education, and Welfare Appropriation Act, 1961.

* * *

1763

⊥PUBLIC HEALTH SERVICE

* * *

1766

⊥INDIAN HEALTH ACTIVITIES

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (42 U. S. C. 2001); purchase of not to exceed twenty-seven passenger motor vehicles, of which fourteen shall be for replacement only; hire of passenger motor vehicles, and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 321, 322(d), 324, and 509 of the Public Health Service Act; $48,276,000.

68 Stat. 674.

42 U. S. C. 248, 249, 251, 227.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provisions of domestic and community sanitation facilities for Indians; $9,714,000, to remain available until expended.

* * *

⊥BUILDINGS AND FACILITIES ⊥1768

For construction, major repair, improvement, extension, and equipment of Public Health Service facilities, not otherwise provided, including plans and specifications and acquisition of sites, $3,470,000, to remain available until expended: *Provided*, That the balances of appropriations heretofore made available for construction, major repair, improvements, extension, or equipment of any Public Health ⊥Service facilities (except construction of Indian health facilities) and ⊥1769 remaining unexpended on June 30, 1960, shall be merged with this appropriation.

* * *

Approved, September 2, 1960.

PUBLIC LAW 86-722

AN ACT

September 8, 1960
[H. R. 13161]
74 Stat. 521

Making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1961") for the fiscal year ending June 30, 1961, and for other purposes, namely:

Second Supplemental Appropriation Act, 1961

* * *

DEPARTMENT OF COMMERCE

* * *

⊥COAST AND GEODETIC SURVEY ⊥1822

* * *

CONSTRUCTION AND EQUIPMENT

For the purpose of obtaining a suitable site for construction of a Coast and Geodetic Survey Seismological Laboratory, the Secretary of Commerce is authorized, on behalf of the United States, to lease from the Isleta Indian Tribe, and the Isleta Indian Tribe, with the approval of the Secretary of the Interior, is authorized to lease to the Secretary of Commerce, for a minimum term of 25 years with provisions for renewal, approximately seven hundred and fifty acres, more or less, of tribal land on the Isleta Indian Reservation; such land being situated in sections 5, 6, 7, and 8, township 8 north, range 5 east, New Mexico principal meridian, county of Bernalillo, State of New Mexico. Any lease entered into hereunder shall provide for an annual rental not in excess of $1,200, and shall prescribe the terms and conditions under which the tribe may jointly use that portion of the leased area not specifically needed for the Laboratory.

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥1827

DEPARTMENTAL OFFICES

* * *

1828

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

For an additional amount for "Construction", $2,050,000, to remain available until expended, of which $250,000 shall be available for payment to the Parshall, North Dakota Special School District Numbered 3 for the construction of school facilities which shall be available to Indian children.

* * *

1829

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

60 Stat. 1054.

Section 20(b) of the Indian Claims Commission Act of August 13, 1946 (25 U. S. C. 70s), is hereby amended by adding at the end of the second sentence thereof a new sentence as follows:

"In similar manner and with like effect either party may appeal to the Court of Claims from any interlocutory determination by the Commission establishing the liability of the United States notwithstanding such determination is not for any reason whatever final as to the amount of recovery; and any such interlocutory appeal shall be taken on or before January 1, 1961, or three months from such interlocutory determination, whichever is later: *Provided,* That the failure of either party to appeal from any such interlocutory determination shall not constitute a waiver of its right to challenge such interlocutory determination in any appeal from any final determination subsequently made in the case."

* * *

Approved, September 8, 1960.

PUBLIC LAW 86-733

September 8, 1960
[H. R. 11813]
71 Stat. 867

AN ACT

To amend the Menominee Termination Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of June 17, 1954 (68 Stat. 250), as amended (25 U. S. C. 891), is further amended by changing the sixth and seventh sentences to read as follows:

Menominee Termination Act, amendment.

"If the Menominee Tribe and the Secretary cannot agree upon a plan within the aforementioned six-month period, or if they agree upon a plan within such period and the tribal corporation and voting trust contemplated by the plan are not established prior to March 1, 1961, the Secretary shall transfer the tribal property to a trustee of his choice for the management or disposition for the benefit of the Menominee Tribe. The responsibility of the United States to furnish all such supervision and services to the tribe and to the members thereof, because of their status as Indians, shall cease on April 30, 1961, or on such earlier date as may be agreed upon by the tribe and the Secretary."

Federal supervision, extension of termination date.

72 Stat. 291.
25 U. S. C. 897

SEC. 2. The first sentence and proviso of section 8 of said Act of June 17, 1954, as amended, are hereby amended to read as follows:

Transfer of property 469

"On or before April 30, 1961, the Secretary is authorized to transfer to the tribal corporation or to a trustee of the Secretary's choice, as provided in section 7 of this Act, the title to all property, real and personal, held in trust by the United States for the tribe. The Secretary is hereby directed to begin immediate negotations with a private trustee of his choice to perfect a trust agreement so that if by March 1, 1961, the tribal corporation is not functioning, the Secretary will be prepared to transfer title to such property to said trustee as

soon after March 1, 1961, as possible, but in no event later than April 30, 1961."

SEC. 3. Section 9 of said Act of June 17, 1954, as amended, is further amended as follows: 68 Stat. 252; 25 U.S.C. 898

"SEC. 9. No distribution, conveyance, or transfer of title to assets and no issuance or distribution of securities pursuant to the plan approved by the Secretary under the provisions of this Act shall be subject to any Federal or State transfer, issuance, or income tax: *Provided*, That nothing contained in this Act shall exempt the recipient of any cash distribution made hereunder from payment of income tax for the year in which the distribution is made on that portion of his share thereof which consists of interest on funds deposited in the Treasury of the United States pursuant to the Supplemental Appropriations Act, 1952 (65 Stat. 736, 754). Following any distribution, conveyance, transfer, or issuance as aforesaid, the assets and securities which are held by, and any income derived therefrom which is received by or payable to, any person, or any corporation or organization as provided in section 8 of this Act, shall be subject to the same taxes, State and Federal, as in the case of non-Indians, except that the basis of any valuation for purposes of Federal income tax on gains or losses shall be the value of the property on the date title is transferred by the United States pursuant to section 8 of this Act." Tax exemptions, conditions

SEC. 4. The Act of June 17, 1954, as amended, is further amended by adding at the end thereof a new section 14 as follows: Vocational program. 68 Stat. 250

⊥"SEC. 14. Notwithstanding any other provision of this Act, the Secretary of the Interior is authorized to contract with the Wisconsin Department of Public Instruction, prior to the date for terminating Federal responsibilities, for the completion of a vocational or undergraduate college program of any member of the Menominee tribe who has been accepted for such program prior to the termination date." 1868

Approved, September 8, 1960.

PUBLIC LAW 86-761

AN ACT

September 13, 1960
[H. R. 7990]

To provide for the conveyance of certain land of the United States to the Citizen Band of Potawatomi Indians of Oklahoma. 74 Stat. 903

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey to the Citizen Band of Potawatomi Indians of Oklahoma, all right, title, and interest of the United States in and to approximately 57.99 acres of land more particularly described in section 2 of this Act, subject to the right of the Absentee Shawnee of Oklahoma, Sac and Fox of Oklahoma, Kickapoo of Oklahoma, and Iowa Tribe of Oklahoma to use the Potawatomi community house that may be constructed and maintained thereon. The title of the tribe thereto shall be subject to no exemption from taxation or restriction on use, management or disposition because of Indian ownership. Potawatomi Indians of Oklahoma.

SEC. 2. The property referred to in the first section of this Act is more particularly described as follows: Lot 1 (northwest quarter of northwest quarter) and north half of lot 2 (north half of southwest quarter of northwest quarter) and the part of the north half of the southeast quarter of the northwest quarter laying west of the east right-of-way line of Oklahoma State Highway Numbered 18, all in section 31, township 10 north, range 4 east of the Indian meridian, in Potawatomie County, Oklahoma, and containing 57.99 acres more or less.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed Claim against U. S. 25 U.S.C. 70a

by this Act should or should not be set off against any claim against the United States determined by the Commission.

Approved, September 13, 1960.

PUBLIC LAW 86-784

September 14, 1960
[H. R. 10586]
74 Stat. 1022

AN ACT

To enable the Oregon Short Line Railroad Company to convey title to certain lands in Idaho to the Pocatello First Corporation of the Church of Jesus Christ of Latter-day Saints.

Oregon Short Line Railroad Co

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provisions of the Act of September 1, 1888 (25 Stat. 452 and the following), relating to the ratification of an agreement between the United States and the Shoshone and Bannock Indians, or any other provision of law, no forfeiture or reversion to the United States or to any tribe or tribes of Indians shall take place by reason of any conveyance, quitclaim, or otherwise, by the Oregon Short Line Railroad Company and/or the Union Pacific Railroad Company (corporations of the State of Utah), to the Pocatello First Corporation of the Church of Jesus Christ of Latter-day Saints (a corporation sole of the State of Idaho) of any or all right, title, or interests which such companies, or either of them, has or would have in and to the following described real property lying in Bannock County, State of Idaho:

An irregular tract of land situate in the northeast quarter of southwest quarter of section 35, township 6 south, range 34 east of the Boise meridian in the city of Pocatello, Bannock County, Idaho, bounded and described as follows:

Beginning at the northwest corner of said northeast quarter of southwest quarter of section 35; thence east along the east and west centerline of said section 35, a distance of 465.8 feet, more or less, to the southwesterly line of Grant Avenue in the city of Pocatello; thence southeasterly along the southeasterly extension of said southwesterly line of Grant Avenue, a distance of 643.5 feet; thence southwesterly, at right angles, a distance of 228.2 feet; thence west along a straight line parallel with said east and west centerline of section 35, a distance of 563.5 feet, more or less, to a point in the southeasterly extension of the northeasterly line of Lincoln Avenue; thence northwesterly along said extension of northeasterly line of Lincoln Avenue a distance of 229.0 feet, more or less, to a point in the west line of said northeast quarter of southwest quarter of section 35; thence north along the west line of said northeast quarter of southwest quarter a distance of 463.0 feet, more or less, to the point of beginning.

Containing an area of 10.0 acres, more or less.

SEC. 2. Said railroad companies are hereby authorized to quitclaim jointly or separately any or all interest they, or each of them, have in and to the above described property to said church, reserving, however, to themselves, their successors and assigns, an easement for any and all existing pipelines and pipeline right-of-way over, under, and across the premises hereinbefore described, and also reserving to said railroad companies the right to operate and maintain the same, and the rights of forfeiture or reversion of all lands granted in said Act passed and approved September 1, 1888, are in all respects, insofar as they pertain to the lands above described, including the easements and rights reserved, hereby revoked and held for naught.

SEC. 3. Upon said railroad companies, or either of them, conveying by quitclaim deed, or otherwise, to such Pocatello First Corporation of the Church of Jesus Christ of Latter-day Saints pursuant to sections 1 and 2 of this Act, the lands described in section 1, the United States hereby waives, relinquishes, and quitclaims to said railroads, or either

of them, all right, title, or interest which the United States ⊥may have ⊥1023
in or to the easements and rights reserved by said railroad companies, or either of them, and waives, relinquishes, and quitclaims to said church all right, title, or interest which the United States may have in and to such lands, subject to the aforementioned reservations in favor of said railroads.

SEC. 4. The provisions of this Act shall be effective only upon payment to the United States within one year from the date of this Act of the present fair market value of the lands described in section 1 hereof except such part of said value as is attributable to improvements on said lands which were not placed thereon by the United States determined by the Secretary of the Interior.

Approved, September 14, 1960.

PUBLIC LAW 86-791

AN ACT

September 14, 1960
[H. R. 816]
74 Stat. 1029

To convey certain lands in Oklahoma to the Cheyenne and Arapaho Indians, and for other purposes.

Cheyenne and Arapaho Indians.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby eliminated from the Cheyenne and Arapaho subagency reservation at Concho, Oklahoma, approximately four thousand nine hundred acres of land considered excess to the present school and agency reserve needs. The Secretary of the Interior is authorized to convey to the Cheyenne and Arapaho Tribes a fee simple title to approximately three thousand nine hundred acres of such lands, together with the improvements thereon. Approximately one thousand acres of such land shall be transferred by the Secretary of the Interior to the Attorney General for use in connection with the El Reno Reformatory. The land transferred to the Attorney General shall be selected in a reasonably compact unit that will cause a minimum disruption in the agricultural program now conducted by the Bureau of Prisons. The title of the tribes to any land conveyed pursuant to this section shall be subject to no exemption from taxation or restriction on use, management, or disposition because of Indian ownership.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. 25 U. S. C. 70a.

Approved, September 14, 1960.

PUBLIC LAWS OF THE EIGHTY-SEVENTH CONGRESS, FIRST SESSION, 1961

PUBLIC LAW 87-14

AN ACT

March 31, 1961
[H. R. 5188]
75 Stat. 20

Making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Third Supplemental Appropriation Act, 1961") for the fiscal year ending June 30, 1961, and for other purposes, namely: Third Supplemental Appropriation Act, 1961.

TITLE I

DEPARTMENT OF AGRICULTURE

* * *

ACQUISITION OF LANDS, KLAMATH INDIANS

For the acquisition of Klamath Indian forest lands in accordance with the Act of Agust 13, 1954, as amended (68 Stat. 718; 72 Stat. 816), terminating Federal supervision over the Klamath Indian Tribe in Oregon, $68,717,000.

73 Stat. 70, 477.
25 U. S. C. 564, 564w-1

* * *

126. DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $2,772,000.

* * *

131 TITLE II

INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1961, for increased pay costs authorized by or pursuant to law, as follows:

* * *

134 INDEPENDENT OFFICES

* * *

135 Indian Claims Commission: "Salaries and expenses", $10,000;

* * *

136 DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

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Public Health Service:

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"Indian health activities", $1,995,000;

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DEPARTMENT OF THE INTERIOR

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137 Bureau of Indian Affairs:
"General administrative expenses", $228,000;
"Liquidation of Klamath and Menominee Agencies", $2,000;

* * *

Approved, March 31, 1961.

PUBLIC LAW 87-23

April 24, 1961
[S. 1297]

AN ACT

75 Stat. 45

To authorize the payment of per diem to members of the Indian Arts and Crafts Board at the same rate that is authorized for other persons serving the Federal Government without compensation.

Indian Arts and Crafts Board
Per diem payments
25 U. S. C. 305

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of August 27, 1935 (49 Stat. 891), is amended by changing the proviso in the last sentence to read as follows: "*Provided*, That each Commissioner shall be paid per diem in lieu of subsistence and other expenses at a rate that does not exceed the rate authorized by the Act of August 2, 1946 (60 Stat. 808), as heretofore or hereafter amended (5 U. S. C. 73b–2), to be paid to persons serving without compensation."

Repeal.

SEC. 2. The limitation on the payment of per diem in lieu of subsistence to members of the Indian Arts and Crafts Board that is

contained in the Interior Department Appropriation Act, 1940 (53 Stat. 685, 699), is repealed. 25 U. S. C. 305c–1.

Approved, April 24, 1961.

PUBLIC LAW 87–24

AN ACT

April 24, 1961
[S. 1295]
75 Stat. 45

To authorize the use of funds arising from a judgment in favor of the Nez Perce Tribe of Indians, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Nez Perce Tribe that were appropriated to pay a judgment by the Indian Claims Commission in docket 175–A, and the funds that may be deposited in the Treasury of the United States to the credit of the Nez Perce Tribe to pay any judgments arising out of proceedings presently pending before the Indian Claims Commission in dockets 175 and 180–A, and the interest thereon, after payment of attorney fees and expenses shall be divided by crediting 86.5854 per centum of such funds to the account of the Nez Perce Tribe of Idaho and 13.4146 per centum to the account of the Confederated Tribes of the Colville Reservation. These funds may thereafter be advanced or expended for any purpose that is authorized by the respective tribal governing bodies and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribes shall not be subject to Federal or State income tax.

Indians.
Nez Perce Tribe, funds.

SEC. 2. The credit to the account of the Confederated Tribes of the Colville Reservation authorized by this Act, insofar as the judgment in docket 175–A is concerned, shall not be made until the Confederated Tribes of the Colville Reservation submit to the Secretary of the Interior assurances satisfactory to him that the Confederated Tribes have agreed that any judgment against the United States that has been or may be recovered by one or more of the constituent groups thereof, including the judgment in docket 181, will be deposited to the credit of the Confederated Tribes. The credit to the account of the Nez Perce Tribe of Idaho authorized by this Act, insofar as the judgment in docket 175–A is concerned, shall not be made until the Nez Perce Tribe of Idaho submits to the Secretary of the Interior assurances ⊥satisfactory to him that Indians who have resigned from the Nez Perce Tribe of Idaho and have joined another tribe under conditions that do not permit them to share in the benefits of any claims judgment recovered by that tribe shall be given the opportunity to rejoin the Nez Perce Tribe of Idaho if they wish to do so. The credits to the accounts of the Confederated Tribes of the Colville Reservation and the Nez Perce Tribe of Idaho that are authorized by this Act, insofar as any judgment in docket 175 or 180–A is concerned, shall not be made until the tribal governing body of the Confederated Tribes of the Colville Reservation and the tribal governing body of the Nez Perce Tribe of Idaho have submitted to the Secretary of the Interior resolutions satisfactory to him which agree to a division of the judgment in accordance with the percentage figures specified in section 1 of this Act.

Deposit of funds.
Conditions.

⊥ 46

Approved, April 24, 1961.

PUBLIC LAW 87–25

AN ACT

April 24, 1961
[S. 1298]
75 Stat. 46

To permit the Secretary of the Interior to revoke in whole or in part the school and agency farm reserve on the Lac du Flambeau Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the

Indians.

Lac du Flambeau Reservation
School and agency Farm reserve.

Act of May 19, 1924 (43 Stat. 132), is amended by adding at the end thereof the following: "The reserve established by this section for school and agency farm purposes may be revoked in whole or in part by the Secretary of the Interior when the land is no longer needed for such purposes, and the lands so removed from reserved status shall be subject to the laws and regulations applicable to other lands of the band."

Approved, April 24, 1961.

PUBLIC LAW 87-27

May 1, 1961
[S. 1]

75 Stat. 47

AN ACT

To establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically distressed areas.

Area Redevelopment Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Area Redevelopment Act".

DECLARATION OF PURPOSE

SEC. 2. The Congress declares that the maintenance of the national economy at a high level is vital to the best interests of the United States, but that some of our communities are suffering substantial and persistent unemployment and underemployment; that such unemployment and underemployment cause hardship to many individuals and their families and detract from the national welfare by wasting vital human resources; that to overcome this problem the Federal Government, in cooperation with the States, should help areas of substantial and persistent unemployment and underemployment to take effective steps in planning and financing their economic redevelopment; that Federal assistance to communities, industries, enterprises, and individuals in areas needing redevelopment should

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enable such areas to ⊥achieve lasting improvement and enhance the domestic prosperity by the establishment of stable and diversified local economies and improved local living conditions; and that under the provisions of this Act new employment opportunities should be created by developing and expanding new and existing facilities and resources rather than be merely transferring jobs from one area of the United States to another.

AREA REDEVELOPMENT ADMINISTRATOR

SEC. 3. There shall be appointed by the President, by and with the advice and consent of the Senate, an Area Redevelopment Administrator in the Department of Commerce who shall receive compensation at a rate equal to that received by Assistant Secretaries of Commerce. The Administrator shall perform such duties in the execution of this Act as the Secretary of Commerce (hereinafter referred to as the "Secretary") may assign.

ADVISORY POLICY BOARD

SEC. 4. (a) To advise the Secretary in the performance of functions authorized by this Act, there is created an Area Redevelopment Advisory Policy Board (hereinafter referred to as the "Board"), which shall consist of the following members, all ex officio: the Secretary as Chairman; the Secretaries of Agriculture; Health, Education, and Welfare; Interior; Labor; and Treasury; and the Administrators of the Housing and Home Finance Agency and the Small Business Administration. The Chairman may from time to time invite the participation of officials of other agencies of the executive branch interested in the functions herein authorized. Each member of the Board may desig-

nate an officer of his agency to act for him as a member of the Board with respect to any matter there considered.

National Public Advisory Committee on Area Redevelopment

(b) The Secretary shall appoint a National Public Advisory Committee on Area Redevelopment which shall consist of twenty-five members and shall be composed of representatives of labor, management, agriculture, State and local governments, and the public in general. From the members appointed to such Committee the Secretary shall designate a Chairman. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

(c) The Secretary is authorized from time to time to call together and confer with any persons, including representatives of labor, management, agriculture, and government, who can assist in meeting the problems of unemployment or underemployment in the several areas designated by the Secretary as redevelopment areas.

REDEVELOPMENT AREAS

Standards

SEC. 5. (a) The Secretary shall designate as "redevelopment areas" those areas within the United States in which he determines, upon the basis of standards generally comparable with those set forth in paragraphs (1) and (2), that there has existed substantial and persistent unemployment for an extended period of time. There shall be included among the areas so designated any area—

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⊥(1) where the Secretary of Labor finds that the rate of unemployment, excluding unemployment due primarily to temporary or seasonal factors, is currently 6 per centum or more and has averaged at least 6 per centum for the qualifying time periods specified in paragraph (2); and

(2) where the Secretary of Labor finds that the annual average rate of unemployment has been at least—

(A) 50 per centum above the national average for three of the preceding four calendar years, or

(B) 75 per centum above the national average for two of the preceding three calendar years, or

(C) 100 per centum above the national average for one of the preceding two calendar years.

The Secretary of Labor shall find the facts and provide the data to be used by the Secretary in making the determinations required by this subsection.

(b) The Secretary shall also designate as "redevelopment areas" those areas (including Indian reservations) within the United States which do not meet the requirements set forth in subsection (a) but which he determines are among the highest in numbers and percentages of low-income families, and in which there exists a condition of substantial and persistent unemployment or underemployment. In making the designations under this subsection and before extending any financial assistance as the result of designations under this subsection, the Secretary shall, by regulation, prescribe detailed standards upon which the designations under this subsection shall be based. In the formulation of such standards the Secretary shall consider, among other relevant factors, the number of low-income farm families in the various rural areas of the United States, the proportion that such low-income families are of the total farm families of each of such areas, the relationship of the income levels of the families in each such area to the general levels of income in the United States, the extent to which "rural development" projects have previously been located in any such area under programs administered by the Department of Agriculture, the current and prospective

employment opportunities in each such area, the availability of manpower in each such area for supplemental employment, the extent of migration out of the area, and the proportion of the population of each such area which has been receiving public assistance from the Federal Government or from the State or States in which such area is located or from any municipality therein. In making the designations under this subsection, the Secretary shall endeavor to distribute the projects widely among the several States, so far as is feasible and proper, in order that actual experience with this program may be had in as many States and in as many areas and under as many different circumstances as possible. In making these determinations the Secretary shall be guided, but not conclusively governed, by pertinent studies made, and information and data collected or compiled, by (1) departments, agencies, and instrumentalities of the Federal Government, (2) State and local governments, (3) universities and land-grant colleges, and (4) private organizations.

Studies.

(c) Upon the request of the Secretary, the Secretary of Labor, the Secretary of Agriculture, the Secretary of the Interior, and such other heads of agencies as may be appropriate are authorized to conduct ⊥such special studies, obtain such information, and compile and furnish to the Secretary such data as the Secretary may deem necessary or proper to enable him to make the determinations provided for in subsection (b) of this section. The Secretary shall reimburse when appropriate, out of any funds appropriated to carry out the purposes of this Act, the foregoing officers for any expenditures incurred by them under this section.

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(d) As used in this Act, the term "redevelopment area" refers to any area within the United States which has been designated by the Secretary as a redevelopment area.

"Redevelopment area."

LOANS AND PARTICIPATIONS

SEC. 6. (a) The Secretary is authorized to purchase evidences of indebtedness and to make loans (which for purposes of this section shall include participations in loans) to aid in financing any project within a redevelopment area for the purchase or development of land and facilities (including, in cases of demonstrated need, machinery and equipment) for industrial or commercial usage, including the construction of new buildings, the rehabilitation of abandoned or unoccupied buildings, and the alteration, conversion, or enlargement of existing buildings. Such financial assistance shall not be extended (1) for working capital, or (2) to assist establishments relocating from one area to another. The limitation set forth in clause (2) shall not be construed to prohibit assistance for the expansion of an existing business entity through the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary finds that the establishment of such branch, affiliate, or subsidiary will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless the Secretary has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

Limitations.

(b) Financial assistance under this section shall be on such terms and conditions as the Secretary determines, subject, however, to the following restrictions and limitations:

(1) The total amount of loans (including purchased evidences of indebtedness) outstanding at any one time under this section (A) with respect to projects in redevelopment areas designated under section 5 (a) shall not exceed $100,000,000 and (B) with respect to projects in redevelopment areas designated under section 5 (b) shall not exceed $100,000,000.

(2) Such assistance shall be extended only to applicants, both private and public (including Indian tribes), which have been approved for such assistance by an agency or instrumentality of the State or political subdivision thereof in which the project to be financed is located, and which agency or instrumentality is directly concerned with problems of economic development in such State or subdivision.

(3) The project for which financial assistance is sought must be reasonably calculated to provide more than a temporary ⊥alleviation ⊥151 of unemployment or underemployment within the redevelopment area wherein it is, or will be, located.

(4) No such assistance shall be extended hereunder unless the financial assistance applied for is not otherwise available from private lenders or other Federal agencies on reasonable terms.

(5) The Secretary shall not make any loan without a participation unless he determines that the loan cannot be made on a participation basis.

(6) No evidences of indebtedness shall be purchased and no loans shall be made unless it is determined that there is a reasonable assurance of repayment.

(7) Subject to section 12 (5) of this Act, no loan, including renewals or extension thereof, may be made hereunder for a period exceeding twenty-five years and no evidences of indebtedness maturing more than twenty-five years from date of purchase may be purchased hereunder: *Provided,* That the foregoing restrictions on maturities shall not apply to securities or obligations received by the Secretary as a claimant in bankruptcy or equitable reorganization or as a creditor in other proceedings attendant upon insolvency of the obligor. Maximum loan period

(8) Loans made and evidences of indebtedness purchased under this section shall bear interest at a rate equal to the rate of interest paid by the Secretary on funds obtained from the Secretary of the Treasury as provided in section 9 (a) of this Act, plus one-half of 1 per centum per annum to cover administrative expenses and to provide for losses on loans made and evidences of indebtedness purchased under this section.

(9) Such assistance shall not exceed 65 per centum of the aggregate cost to the applicant (excluding all other Federal aid in connection with the undertaking) of acquiring or developing land and facilities (including, in cases of demonstrated need, machinery and equipment), and of constructing, altering, converting, rehabilitating, or enlarging the building or buildings of the particular project, and shall, among others, be on the condition that—

(A) other funds are available in the amount which, together with the assistance provided hereunder, shall be sufficient to pay such aggregate cost;

(B) not less than 10 per centum of such aggregate cost be supplied by the State or any agency, instrumentality, or political subdivision thereof, or by an Indian tribe or a community or area organization which is nongovernmental in character, as equity capital or as a loan repayable only after the Federal financial assistance extended under this section has been repaid in full according to the terms thereof and, if such a loan is secured, its security shall be subordinate and inferior to the lien or liens securing such Federal financial assistance;

(C) in extending financial assistance under this section with respect to a redevelopment area, the Secretary shall require that not less than 5 per centum of the aggregate cost ⊥of the project for which such assistance is extended shall be ⊥152

supplied by nongovernmental sources as equity capital or as a loan repayable only after the Federal financial assistance extended under this section has been repaid in full according to the terms thereof and, if such a loan is secured, its security shall be subordinate and inferior to the lien or liens securing such Federal financial assistance; and

(D) to the extent the Secretary finds such action necessary to encourage financial participation in a particular project by other lenders and investors, and except as otherwise provided in subparagraphs (B) and (C), any Federal financial assistance extended under this section may be repayable only after other loans made in connection with such project have been repaid in full, and the security, if any, for such Federal financial assistance may be subordinate and inferior to the lien or liens securing other loans made in connection with the same project.

(10) No such assistance shall be extended unless there shall be submitted to and approved by the Secretary an overall program for the economic development of the area and a finding by the State, or any agency, instrumentality, or local political subdivision thereof, that the project for which financial assistance is sought is consistent with such program: *Provided,* That nothing in this Act shall authorize financial assistance for any project prohibited by laws of the State or local political subdivision in which the project would be located.

LOANS FOR PUBLIC FACILITIES

Conditions for loans.

SEC. 7. (a) Upon the application of any State, or political subdivision thereof, Indian tribe, or private or public nonprofit organization or association representing any redevelopment area or part thereof, the Secretary is authorized to make loans to assist in financing the purchase or development of land for public facility usage, and the construction, rehabilitation, alteration, expansion, or improvement of public facilities, within a redevelopment area, if he finds that—

(1) the project for which financial assistance is sought will tend to improve the opportunities, in the redevelopment area where such project is or will be located, for the successful establishment or expansion of industrial or commercial plants or facilities which will provide more than a temporary alleviation of unemployment or underemployment in such area;

(2) the funds requested for such project are not otherwise available on reasonable terms;

(3) the amount of the loan plus the amount of other available funds for such project are adequate to insure the completion thereof;

(4) there is a reasonable expectation of repayment; and

(5) such area has an approved economic development program as provided in section 6 (b) (10) and the project for which financial assistance is sought is consistent with such program.

(b) Subject to section 12 (5), the maturity date of any such loan shall be not later than forty years after the date such loan is made. Any such loan shall bear interest at a rate equal to the rate of interest paid by the Secretary on funds obtained from the Secretary of the Treasury as provided in section 9 (a) of this Act, plus one-quarter of 1 per centum per annum.

Limitation.

(c) The total amount of loans outstanding at any one time under this section shall not exceed $100,000,000.

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⊥(d) No financial assistance shall be extended under this section with respect to any public facility which would compete with an existing privately owned public utility rendering a service to the

public at rates or charges subject to regulation by a State regulatory body, unless the State regulatory body determines that in the area to be served by the public facility for which the financial assistance is to be extended there is a need for an increase in such service (taking into consideration reasonably foreseeable future needs) which the existing public utility is not able to meet through its existing facilities or through an expansion which it agrees to undertake.

GRANTS FOR PUBLIC FACILITIES

SEC. 8. (a) Upon the application of any State, or political subdivision thereof, Indian tribe, or private or public nonprofit organization or association representing any redevelopment area or part thereof, the Secretary is authorized to make grants for land acquisition or development for public facility usage, and the construction, rehabilitation, alteration, expansion, or improvement of public facilities, within a redevelopment area, if he finds that— Conditions for grants

(1) the project for which financial assistance is sought will tend to improve the opportunities, in the redevelopment area where such project is or will be located, for the successful establishment or expansion of industrial or commercial plants or facilities which will provide more than a temporary alleviation of unemployment or underemployment in such area;

(2) the entity requesting the grant proposes to contribute to the cost of the project for which such grant is requested in proportion to its ability so to contribute;

(3) the project for which a grant is requested will fulfill a pressing need of the area, or part thereof, in which it is, or will be, located, and there is little probability that such project can be undertaken without the assistance of a grant under this section; and

(4) the area for which a project is to be undertaken has an approved economic development program as provided in section 6 (b) (10) and such project is consistent with such program.

The amount of any grant under this section for any such project shall not exceed the difference between the funds which can be practicably obtained from other sources (including a loan under section 7 of this Act) for such project, and the amount which is necessary to insure the completion thereof.

(b) The Secretary shall by regulation provide for the supervision of projects with respect to which grants are made under this section so as to insure that Federal funds are not wasted or dissipated. Supervision.

(c) No financial assistance shall be extended under this section with respect to any public facility which would compete with an existing privately owned public utility rendering a service to the public at rates or charges subject to regulation by a State regulatory body, unless the State regulatory body determines that in the area to be served by the public facility for which the financial assistance is to be extended there is a need for an increase in such service (taking into consideration reasonably foreseeable future needs) which the existing public utility is not able to meet through its existing facilities or through an expansion which it agrees to undertake.

(d) There is hereby authorized to be appropriated not to exceed $75,000,000 for the purpose of making grants under this section. Appropriation.

* * *

Approved, May 1, 1961.

PUBLIC LAW 87-35

AN ACT

May 19, 1961
[H. R. 2195]
75 Stat. 79

To convey certain land of the Pala Band of Indians to the Diocese of San Diego Education and Welfare Corporation.

Indians
Pala Band
Land conveyance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States and of the Pala Band of Indians in lots numbered 131 and 132, in the southwest quarter northeast quarter of section 27, township 9 south, range 2 west, San Bernardino base and meridian, containing 0.72 acres, as shown on supplemental plat of survey accepted April 23, 1959, is hereby conveyed without compensation to the Diocese of San Diego Education and Welfare Corporation: *Provided*, That if at any time the Diocese of San Diego Education and Welfare Corporation, or its successors, fails to use the property for educational purposes, the title thereto shall revert by operation of law to the United States in trust for the Pala Band: *Provided further*, That the Diocese of San Diego Education and Welfare Corporation shall be responsible for the payment of any lien or liens which may exist as of the date of the conveyance made by this Act, and shall assume the responsibilities for the payment of any assessments which may accrue in the future.

Approved, May 19, 1961.

May 27, 1961
[H. R. 5571]
75 Stat. 88

PUBLIC LAW 87-44

AN ACT

To provide for the addition or additions of certain lands to the Effigy Mounds National Monument in the State of Iowa, and for other purposes.

Effigy Mounds National Monument, Iowa
Lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of preserving certain important prehistoric Indian mounds and protecting existing wildlife and other natural values, the following described lands, consisting of approximately 272 acres, are hereby added to the Effigy Mounds National Monument in the State of Iowa:

TRACT A

Township 94 north, range 3 west, fifth principal meridian, Clayton County, Iowa: the portion of the southeast quarter southeast quarter of section 22 that lies between the easterly right-of-way line of the Chicago, Milwaukee, Saint Paul, and Pacific Railroad and the section line common to sections 22 and 23; those portions of lot 1 (except the northerly 900 feet thereof), lot 2, and lot 3 that lie easterly of the easterly right-of-way line of said railroad, the unnumbered lot adjacent to lot 3; and the former meandered river channel between said lot 3 and said unnumbered lot, all in section 23; containing in all 138 acres more or less.

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TRACT B

Township 96 north, range 3 west, fifth principal meridian, Allamakee County, Iowa: Southwest quarter southeast quarter of section 33, containing 40 acres more or less.

TRACT C

Township 96, north, range 3 west, fifth principal meridian, Allamakee County, Iowa; South half northeast quarter and south half northeast quarter northeast quarter of section 33, excepting the right-of-way of Iowa State Highway Numbered 13; containing 93.7 acres more or less.

SEC. 2. The lands under the administrative control and jurisdiction of the United States Fish and Wildlife Service within tract A are included in the monument subject to such terms and conditions as the Secretary of the Interior may deem necessary and desirable in order to facilitate and control public access to the adjacent lands of the Upper Mississippi River Wild Life and Fish Refuge, and subject to the

authority of the Secretary of the Interior to return them to the jurisdiction of the United States Fish and Wildlife Service when they are no longer required for purposes of the monument. The lands under the administrative control and jurisdiction of the Corps of Engineers, United States Army, within tract A are included in the monument subject to the right of the Corps of Engineers to retain adequate flowage and navigation rights thereon to facilitate the operation and maintenance of lock and dam numbered 10, Upper Mississippi River, or the construction, operation, and maintenance of any dam affecting this location.

SEC. 3. The Secretary of the Interior is hereby authorized to acquire the lands designated tract C by purchase or through donations.

SEC. 4. All laws, rules, and regulations applicable to such national monument shall be applicable with respect to the lands described in the first section of this Act upon the addition of such land to such national monument. Applicability.

SEC. 5. There is hereby authorized the sum of not to exceed $2,000 for the purpose of acquiring lands, interests in lands, and improvements thereon as may be necessary for carrying out this Act. Appropriation.

Approved, May 27, 1961.

PUBLIC LAW 87-48

AN ACT

June 16, 1961
[S. 751]
75 Stat. 92

To terminate the existence of the Indian Claims Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 23 of the Indian Claims Commission Act approved August 13, 1946 (60 Stat. 1049, 1055; 25 U. S. C. sec. 70v), is hereby amended to read as follows: Indian Claims Commission
Termination date
70 Stat. 624

"SEC. 23. The existence of the Commission shall terminate at the end of five years from and after April 10, 1962, or at such earlier time as the Commission shall have made its final report to the Congress on all claims filed with it. Upon its dissolution the records of the Commission shall be delivered to the Archivist of the United States."

Approved, June 16, 1961.

PUBLIC LAW 87-122

AN ACT

August 3, 1961
[H. R. 6345]
75 Stat. 246

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1962, namely: Department of Interior and Related Agencies Appropriation Act, 1962

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

⊥BUREAU OF INDIAN AFFAIRS ⊥247

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on

Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $71,000,000.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts as authorized by law; $29,075,000.

⊥1248

⊥CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; $39,561,000, to remain available until expended: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations.

Restrictions.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, and the Act of August 23, 1958 (72 Stat. 834), $16,000,000, to remain available until expended.

25 U. S. C. 631 and note.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $3,967,000.

LIQUIDATION OF KLAMATH AND MENOMINEE AGENCIES

For expenses necessary for the liquidation of the Klamath and Menominee Indian Agencies in terminating supervision over the property of the Klamath and Menominee Tribes of Indians and the individual members thereof, $31,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed two hundred and thirty passenger motor vehicles (including twenty-five for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year) for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), the Act of August 3, 1956 (70 Stat. 986), and legislation terminating Federal supervision over certain Indian tribes; purchase of ice for official use of employees; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458.
25 U. S. C. 309, 309a.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not

otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal ⊥officers, councils, and committees thereof, or other tribal ⊥249 organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a recreational director for the Menominee Reservation and a curator for the Osage Museum, each of whom shall be appointed with the approval of their respective tribal councils and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided, however*, That no part of this appropriation or Restriction other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation, except as provided for by the Act of July 24, 1956 (70 Stat. 627).

* * *

⊥OFFICE OF THE SOLICITOR ⊥256

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $3,492,000, and in addition, not to exceed $130,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior; *Provided*, That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedure Act (60 Stat. 237), as amended.

60 Stat. 237.
5 U. S. C. 1001 note.

* * *

⊥TITLE II—RELATED AGENCIES ⊥257

* * *

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥259

PUBLIC HEALTH SERVICE

INDIAN HEALTH ACTIVITIES

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (68 Stat. 674), as amended; 42 U. S. C. 2001 *et seq.* purchase of not to exceed thirty-six passenger motor vehicles, of which thirty-two shall be for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regu-⊥lations approved by the Secretary; and the purposes set forth ⊥260 in sections 321, 322(d), 324, and 509 of the Public Health Service Act; $53,010,000.

58 Stat. 695.
42 U. S. C. 248, 249, 251, 227.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U. S. C. 2004a); $8,285,000, to remain available until expended.

75 Stat. 267

* * *

INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $280,000, of which not to exceed $10,000 shall be available for expenses of travel.

60 Stat. 1049.

* * *

Approved, August 3, 1961.

August 17, 1961
[S. 54]
75 Stat. 387

PUBLIC LAW 87-150

AN ACT

To grant eighty-one acres of public domain to the Cocopah Indians in Arizona.

Cocopah Indians. Land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest in the following described public domain are hereby declared to be held by the United States in trust for the Cocopah Indians in Arizona, subject to any valid existing rights heretofore [388] initiated under the public land laws: lots 14 and 15, section 30, township 9 south, range 24 west; and lots 3, 4, and 5, section 25, township 9 south, range 25 west, Gila and Salt River meridian, Arizona, containing 81.64 acres.

Approved, August 17, 1961.

August 17, 1961
[S. 1291]
75 Stat. 390

PUBLIC LAW 87-154

AN ACT

To supplement and amend the Act of June 30, 1948, relating to the Fort Hall Indian irrigation project, and to approve an order of the Secretary of the Interior issued under the Act of June 22, 1936.

Fort Hall Indian irrigation project, Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the order of the Secretary of the Interior dated May 12, 1960, which provides for the elimination from the Fort Hall Indian irrigation project of four hundred sixty-eight and twenty one-hundredths acres and one hundred twenty-nine and thirty-seven one-hundredths acres of land, and which provides for the cancellation of penalty charges against the eliminated land, which order was made pursuant to the Act of June 22, 1936 (49 Stat. 1803), is hereby approved, and the lands when eliminated shall not thereafter be entitled to water from the project.

25 U. S. C. 389-389e.

SEC. 2. Section 4 of the Act of June 30, 1948 (62 Stat. 1167), is hereby amended to read as follows:

Net irrigable area.

"SEC. 4. The net irrigable area of the Fort Hall Indian irrigation project is hereby established at forty-seven thousand sixty-four and sixty-three one-hundredths acres, more or less, and the Secretary of the Interior is authorized to redesignate the project within the limit of the acreage authorized by this Act. The noninclusion of the Fort Hall townsite within the net irrigable area of the project shall not prevent the obtaining of water rights therefor in accordance with the Act of March 1, 1907 (34 Stat. 1015, 1025), as amended or supplemented."

SEC. 3. Section 2 of the Act of June 30, 1948 (62 Stat. 1167), is amended to read as follows:

"SEC. 2. The duty of water on the Fort Hall Indian irrigation project shall be three and five-tenths acre-feet per acre per annum if available, and available excess water may be furnished for use on project lands on terms, conditions, and rates prescribed by the Secretary."

Approved, August 17, 1961.

PUBLIC LAW 87-202

AN ACT

September 6, 1961
[H. R. 5235]
75 Stat. 470

To authorize the Confederated Tribes of the Warm Springs Reservation of Oregon to acquire land within the boundaries of their reservation.

Indians.
Warm Springs Reservation, Oreg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any general statutory prohibition against the use of tribal funds to acquire land in Oregon if the acquisition would exempt the land from local taxation, the Secretary of the Interior is authorized to purchase with funds made available by the Confederated Tribes of the Warm Springs Reservation of Oregon any land or interests in land within the boundaries of their reservation, and to take title to the land or interests acquired in the name of the United States in trust for the tribes. Any such purchase under an installment purchase contract shall not be regarded as an encumbrance or mortgage within the meaning of the tribal constitution, charter, and bylaws.

Approved, September 6, 1961.

PUBLIC LAW 87-205

AN ACT

September 6, 1961
[H. R. 5964]
75 Stat. 474

To authorize the use of funds arising from a judgment in favor of the Potawatomi Nation of Indians, and for other purposes.

Indians.
Potawatomi Nation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Potawatomi Nation of Indians that were appropriated by the Act of September 8, 1960 (74 Stat. 830), to pay a judgment by the Indian Claims Commission dated February 26, 1959, and the interest thereon, be divided on the basis of 780/2,180ths to the Prairie Band of Potawatomi Indians of Kansas, and 1,400/2,180ths to the Citizen Band of Potawatomi Indians of Oklahoma, and the funds so divided, including the interest accruing thereon, after payment of attorney fees and expenses, may be advanced or expended for any purpose that is authorized by the respective tribal governing bodies and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the bands shall not be subject to Federal or State income tax.

Approved, September 6, 1961.

PUBLIC LAW 87-229

AN ACT

September 14, 1961
[S. 2016]
75 Stat. 499

To give to the Walker River Paiute Tribe the reserved minerals underlying its reservation.

Indians.
Walker River Paiute Tribe, Nev.
Mineral rights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all lands set aside and added to the Walker River Indian Reservation, Nevada, by the Secretary of the Interior under the authority of section 2 of the Act of June 22, 1936 (49 Stat. 1806), are hereby withdrawn from all forms of exploration, location, and entry under the public land mining

laws and the minerals underlying such lands are hereby made a part of the reservation to be held in trust by the United States of America subject to valid existing rights, and such minerals shall be subject to lease for mining purposes pursuant to the provisions of the Act of May 11, 1938 (52 Stat. 347; 25 U. S. C. 396a–g) as amended or supplemented.

70 Stat. 774

Approved, September 14, 1961.

PUBLIC LAW 87–230

AN ACT

September 14, 1961
[S. 344]
75 Stat. 499

To amend the Seneca Leasing Act of August 14, 1950 (64 Stat. 442).

Indians
Seneca Nation funds, disposition

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of August 14, 1950 (64 Stat. 442), be, and hereby is, amended to read as follows: "The money so received shall be available for disposal and expenditure by the council of the Seneca Nation is accordance with the constitution and laws of the nation. The council of the Seneca Nation shall keep complete and detailed records of all payments and disbursement from the funds under its control, and shall make such records available for inspection by members of the Seneca Nation at all reasonable times."

SEC. 2. Section 5 of the Act of August 14, 1950 (64 Stat. 442), is amended by inserting after "to lease" the last time the verb appears the words "or grant easements or rights-of-way on".

Approved, September 14, 1961.

PUBLIC LAW 87–231

AN ACT

September 14, 1961
[S. 203]
75 Stat. 500

To declare that the United States holds in trust for the pueblos of Santa Ana, Zia, Jemez, San Felipe, Santo Domingo, Cochiti, Isleta, and San Ildefonso certain public domain lands.

Indian pueblos
Public domain lands, trust status.
Pueblo of Santa Ana, N. Mex.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title to the following public domain lands and improvements thereon, situated within Sandoval County in the State of New Mexico, is hereby declared to be held by the United States in trust for the pueblo of Santa Ana:

NEW MEXICO PRINCIPAL MERIDIAN

Township 13 north, range 3 east:

Section 5, that portion of the section situated west of New Mexico Highway 44;

Section 6, lots 4, 5, 6, 7, 11, 12, and 13, southeast quarter northwest quarter, south half northeast quarter, east half southwest quarter, southeast quarter.

Township 14 north, range 3 east:

Section 1, lots 1, 2, 3, 4, 5, 6, and 7, south half north half, north half south half, southeast quarter southeast quarter;

Section 3, lots 1, 2, 3, 4, 5, 6, 7, and 8, south half north half, north half south half;

Section 4, lots 1, 2, 3, 4, 5, 6, 7, and 8, south half north half, north half south half;

Section 5, lots 1, 2, 3, 4, 5, 6, 7, and 8, south half north half, north half south half;

Section 6, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, south half northeast quarter, northeast quarter southeast quarter;

Section 7, lots 3, 4, 5, 6, 11, 12, 13, and 14;

Section 12, lots 1, 4, 5, and 8, east half east half;

Section 13, lots 1, 4, 5, and 8, east half east half;

Section 18, lots 2, 3, 4, 5, 8, 9, 10, and 11:

Section 19, lots 2, 3, 4, 5, 8, 9, 10, and 11;
Section 24, lots 1, 4, 5, and 8, east half east half;
Section 25, lots 1, 4, 5, and 9, east half east half;
Section 30, lots 2, 3, 4, 5, 8, 9, 10, and 11;
Section 31, lots 2, 3, 4, 5, 8, 9, 10, and 11.
Township 14 north, range 4 east:
Section 6, lots 3 and 4, south half northwest quarter, southwest quarter;
Section 7, west half;
Section 18, west half, west half east half;
Section 19, west half, west half east half;
Section 30, northwest quarter, west half northeast quarter, southwest quarter, west half southeast quarter;
Section 31, northwest quarter northeast quarter, northeast quarter northwest quarter.
Township 15 north, range 3 east:
Section 5, lots 7 and 8;
Section 10, lots 1, 3, and 4, southeast quarter southwest quarter;
Section 11, lots 1, 2, 3, and 4;
Section 12, lots 1, 2, 3, and 4;
Section 13, all;
Section 14, all;
Section 15, all;
⊥Section 17, all; ⊥501
Section 18, east half;
Section 19, east half;
Section 20, all;
Section 21, all;
Section 22, all;
Section 23, all;
Section 24, all;
Section 25, all;
Section 26, all;
Section 27, all;
Section 28, all;
Section 29, all;
Section 30, lot 4, east half, southeast quarter southwest quarter;
Section 31, all;
Section 33, all;
Section 34, all;
Section 35, all.
Township 15 north, range 4 east:
Section 7, lots 2 and 3;
Section 18, west half;
Section 19, west half;
Section 30, west half;
Section 31, west half; containing 22,975.87 acres, more or less.

Pueblo of Santa Ana, N. Mex.

SEC. 2. Title to the following described public domain lands and improvements thereon, situated within Sandoval County in the State of New Mexico, is hereby declared to be held by the United States in trust for the pueblo of Zia:

NEW MEXICO PRINCIPAL MERIDIAN

Township 14 north, range 1 east:
Section 11, west portion of section not included in Zia Pueblo trust and described in Act of August 13, 1949 (63 Stat. 604);
Section 12, all;
Section 14, all;
Section 15, all;
Section 22, all;

Section 23, west portion of section not included in Zia Pueblo trust land described in Act of August 13, 1949 (63 Stat. 604);
Section 24, all;
Section 26, all;
Section 27, all.
Township 14 north, range 2 east:
Section 1, lots 11, 12, 13, 14, 15, 16, and 17, south half southwest quarter, southwest quarter southeast quarter;
Section 4, lots 9, 10, 11, and 12, south half south half;
Section 6, lots 10, 11, 12, 13, 14, 15, 16, 17, and 18, south half southeast quarter, southeast quarter southwest quarter, northeast quarter southwest quarter, southeast quarter northwest quarter;
Section 8, all;
Section 10, all;
Section 11, east half east half;
Section 12, all;
Section 13, all;
Section 14, all;
Section 18, all;
Section 20, all;
Section 22, all;
⊥1502 ⊥Section 23, east half east half;
Section 24, all;
Section 25, all;
Section 26, all;
Section 28, lots 1, 2, and 5, north half, north half southeast quarter, southeast quarter southeast quarter;
Section 30, all;
Section 34, all;
Section 35, lot 1, east half northeast quarter, northeast quarter southeast quarter.
Township 15 north, range 2 east:
Section 1, lots 1, 2, 3, and 4;
Section 4, lots 1, 2, 3, and 4;
Section 6, lot 1;
Section 8, lots 1, 2, 3, and 4, north half north half;
Section 10, lots 1, 2, 3, and 4, north half north half;
Section 11, lot 1, northeast quarter northeast quarter;
Section 12, lots 1, 2, 3, 4, 5, and 6, north half north half;
Section 13, lots 1, 2, 3, and 4;
Section 18, west half west half;
Section 24, lots 1, 2, 3, and 4;
Section 25, lots 1, 2, 3, and 4;
Section 30, lots 1, 2, 3, and 4, west half.
Township 15 north, range 3 east:
Section 6, lots 3, 4, 5, and 6;
Section 7, all;
Section 8, all;
Section 9, lots 1, 2, 3, and 4, west half, south half southeast quarter;
Section 10, lot 2, southwest quarter southwest quarter;
Section 18, west half;
Section 19, west half;
Section 30, lots 1, 2, and 3, east half northwest quarter, northeast quarter southwest quarter, containing 20,13.41 acres, more or less.

Pueblo of Jemez, N Mex.

SEC. 3. Title to the following described public domain lands and improvements thereon, situated within Sandoval County in the State of New Mexico, is hereby declared to be held by the United States in trust for the pueblo of Jemez:

NEW MEXICO PRINCIPAL MERIDIAN

Township 15 north, range 3 east:

Section 4, lots 1, 2, 3, 4, 5, and 6, southwest quarter, south half northwest quarter;
Section 5, lots 1, 2, 3, 4, 5, 6, and 9, south half northeast quarter, north half southeast quarter, southeast quarter southeast quarter, southeast quarter northwest quarter;
Section 6, lots 1 and 2.
Township 16 north, range 2 east:
Section 12, lots 1, 2, 3, and 4, east half east half;
Section 13, lots 1, 2, 3, and 4, east half east half;
Section 24, lots 1, 2, 3, and 4, east half east half;
Section 25, lots 1, 2, 3, and 4, east half east half.
Township 16 north, range 3 east:
Section 17, north half, southeast quarter, north half southwest quarter, southeast quarter southwest quarter;
Section 18, north half, southwest quarter, north half southeast quarter, southwest quarter southeast quarter;
Section 19, south half, south half northeast quarter, northwest quarter northeast quarter, northwest quarter;
⊥Section 20, south half, northeast quarter, south half northwest quarter, northeast quarter northwest quarter; ⊥503
Section 21, lots 1, 2, 3, and 4, west half;
Section 28, lots 1, 2, 3, and 4, west half;
Section 29, all;
Section 30, all;
Section 31, lots 1, 2, and 3, north half, north half southeast quarter, southeast quarter southeast quarter, northeast quarter southwest quarter;
Section 33, lots 1, 2, 3, and 4, west half, containing 7,819.28 acres, more or less.

SEC. 4. Title to the following described public domain lands and improvements thereon, situated within Sandoval County in the State of New Mexico, is hereby declared to be held by the United States in trust for the pueblo of San Felipe: Pueblo of San Felipe, N. Mex.

NEW MEXICO PRINCIPAL MERIDIAN

Township 14 north, range 4 east:
Section 2, lots 11, 12, 13, 14, and 15, southwest quarter southwest quarter;
Section 11, lots 5, 6, 7, and 8;
Section 14, lots 5, 6, 7, and 8, west half west half;
Section 15, all;
Section 21, east half;
Section 22, all;
Section 23, lots 5, 6, 7, and 8, west half west half;
Section 26, lots 5, 6, 7, and 8, west half west half;
Section 27, north half, southeast quarter, north half southwest quarter, southeast quarter southwest quarter;
Section 28, northeast quarter;
Section 34, north half northeast quarter;
Section 35, lots 6, 7, and 8, west half northwest quarter.
Township 15 north, range 4 east:
Section 14, lots 1, 2, 3, and 4, southwest quarter northwest quarter, west half southwest quarter;
Section 15, east half east half;
Section 22, east half;
Section 23, lots 1, 2, 3, and 4, west half west half;
Section 26, lots 1, 2, 3, and 4, west half west half;
Section 27, east half east half;
Section 35, lots 1, 2, 3, and 4, west half west half, containing 5,347.73 acres, more or less.

Pueblo of Santo Domingo, N. Mex.

SEC. 5. Title to the following described public domain lands and improvements thereon, situated within Sandoval County in the State of New Mexico, is hereby decalred to be held by the United States in trust for the pueblo of Santo Domingo:

NEW MEXICO PRINCIPAL MERIDIAN

Township 15 north, range 4 east:
Section 4, lots 1, 2, 3, and 4, west half;
Section 5, lots 1, 2, 3, 4, and 5, southeast quarter northeast quarter, east half southeast quarter;
Section 8, lot 1.
Township 16 north, range 4 east:
Section 16, lots 5, 6, 7, and 8, west half;
Section 17, lots 1, 4, 5, and 6, northeast quarter northeast quarter;
Section 20, lots 1, 2, 3, and 4;

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⊥Section 21, lots 5, 6, 7, and 8, west half;
Section 28, lots 5, 6, 7, and 8, west half;
Section 29, lots 1, 2, 3, and 4;
Section 32, lots 1, 2, 3, and 4;
Section 33, lots 5, 6, 7, 8, 9, and 10, northwest quarter, north half southwest quarter, containing 3,022.87 acres, more or less.

Pueblo of Cochiti, N. Mex.

SEC. 6. Title to the following described public domain lands and improvements thereon, situated within Sandoval County in the State of New Mexico, is hereby declared to be held by the United States in trust for the pueblo of Cochiti:

NEW MEXICO PRINCIPAL MERIDIAN

Township 16 north, range 5 east:
Section 8, all;
Section 9, all;
Section 10, lots 1, 2, 3, and 4, west half;
Section 15, lots 1, 2, 3, and 4, west half;
Section 17, all;
Section 20, lots 1, 2, 3, and 4, north half, north half southeast quarter;
Section 21, all;
Section 22, lots 1, 2, 3, and 4, west half;
Section 27, lots 1, 2, 3, 4, 5, and 6, northwest quarter, northeast quarter southwest quarter;
Section 28, lots 1, 2, 3, and 4, north half northeast quarter, southeast quarter northeast quarter, northeast quarter northwest quarter;
Section 29, lot 1;
Section 34, lot 1, containing 5,384.49 acres, more or less.

Pueblo of Isleta, N. Mex.

SEC. 7. Title to the following described public domain lands and improvements thereon, situated within Bernalillo and Valencia Counties in the State of New Mexico, is hereby declared to be held by the United States in trust for the pueblo of Isleta:

NEW MEXICO PRINCIPAL MERIDIAN

Township 7 north, range 1 west:
Section 4, lots 1, 2, 3, and 4, southwest quarter southwest quarter, north half southwest quarter, northwest quarter;
Section 6, all;
Section 8, all;
Section 16, lots 1, 2, 3, and 4;
Section 18, lots 1, 2, 3, and 4.
Township 7 north, range 2 west:
Section 12, northeast quarter, east half southeast quarter.
Township 8 north, range 1 west:

Section 4, lots 1, 2, 3, 4, 13, 14, 15, and 16, south half northeast quarter;
Section 6, lots 1, 8, and 9.
Township 8 north, range 2 east:
Section 4, lots 1, 2, 3, 4, 13, 14, 15, and 16, south half north half;
Section 6, lots 1, 2, 12, 13, 14, and 15, northeast quarter east half northwest quarter.
Township 8 north, range 2 east:
Section 3, northwest quarter;
Section 4, north half;
Section 6, lots 1, 2, 12, 13, 14, and 15, northeast quarter, east half northwest quarter, containing 4,559.74 acres, more or less.

Pueblo of San Ildefonso, N. Mex.

⊥SEC. 8. Title to the following described lands and improvements thereon, situated within Santa Fe County in the State of New Mexico, is hereby declared to be held by the United States in trust for the pueblo of San Ildefonso:

NEW MEXICO PRINCIPAL MERIDIAN

Township 20 north, range 8 east:
Section 26, lots 1, and 2;
Section 27, lot 5;
Section 34, lots 1, 4, 5, and 8;
Section 35, lots 3, 4, 5, and 6, west half west half, containing 433.27 acres, more or less.

Valid existing rights

SEC. 9. Nothing in this Act shall affect valid rights existing at the date of approval of this Act.

Exchange of lands. Authority.

SEC. 10. (a) For the purpose of improving the land tenure pattern and consolidating Pueblo Indian lands, the Secretary of the Interior is authorized, under such regulations as he may prescribe, to acquire by exchange any lands or interests therein, including improvements and water rights, within the Pueblo land consolidation areas, and to convey in exchange therefor not to exceed an equal value of unappropriated public lands within the State of New Mexico, or, with the consent of the Pueblo authorities any Pueblo tribal lands or interest therein, including improvements and water rights.

(b) Either party to an exchange under this section may reserve minerals, easements, or rights of use.

(c) The Secretary may execute any title documents necessary to effect the exchanges authorized by this section.

(d) Title to all lands acquired under the provisions of this section shall be taken in the name of the United States in trust for the respective Pueblo Indian tribes.

Administration

SEC. 11. The lands held or acquired for the pueblos pursuant to this Act shall be administered the same as other trust or restricted Indian lands subject to regulations prescribed by the Secretary of the Interior for the protection and conservation of the soil, proper utilization of the land, and other purposes, and shall be a part of the respective Pueblo reservations.

Claims against U.S.

SEC. 12. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

25 USC 70a.

Approved, September 14, 1961.

PUBLIC LAW 87-232

AN ACT

September 14, 1961
[S. 322]

To make certain funds available to the Nez Perce Tribe of Idaho.

75 Stat. 505

Be it enacted by the Senate and House of Representatives of the

Indians.
Nez Perce Tribe, Idaho.
Funds

United States of America in Congress assembled, That the Secretary of the Interior make available the unexpended balances of funds in the Treasury of the United States under the following symbols and titles:

(1) 14X7063 Nez Perces of Idaho fund;

(2) 14X7563 interests and accruals on interest, Nez Perces of Idaho fund;

to the Nez Perce Tribe of Idaho for purposes the tribe requests and approved by the Secretary of the Interior.

Approved, September 14, 1961.

PUBLIC LAW 87-235

September 14, 1961
[S. 1518]
75 Stat. 508

AN ACT

Providing for the disposition of judgment funds of the Omaha Tribe of Indians.

Indians.
Omaha Tribe judgment funds, disposition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed, pursuant to such regulations as may be issued by him, to prepare a roll of Omaha Indians whose names appear on the Omaha allotment rolls finally approved pursuant to the Acts of Congress of August 7, 1882 (22 Stat. 341) and March 3, 1893 (27 Stat. 612), and who are living on the date of this Act, and the descendants of such allottees who are born and living on the date of this Act and who possess Omaha blood of the degree of one-fourth or more regardless of whether such allottees are living or deceased: *Provided,* That no person who is enrolled with any other tribe of Indians or who has received an allotment of land on any other reservation shall be enrolled under the provisions of this Act unless the application for enrollment by such person is approved by a two-thirds vote of the governing body of the Omaha Tribe of Nebraska. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Aberdeen, South Dakota, within four months after the date of this Act. For a period of three months thereafter, the Secretary shall permit the examination of the applications by the governing body of the Omaha Tribe of Nebraska for the purpose of lodging protests against any application. The determination of the Secretary regarding the eligibility of an applicant shall be final.

Membership roll, eligibility.

SEC. 2. The roll prepared pursuant to section 1 of this Act shall constitute the membership roll of the Omaha Tribe of Nebraska as of the date of this Act, notwithstanding the provisions of article II, section 1 of the tribal constitution, and children who are born after the date of this Act may be enrolled if they meet the requirements of section 1 (b) of article II of the tribal constitution, applicable to children born after the date that amendment I to said constitution was approved, or any amendment thereof.

Per capita share distribution.

SEC. 3. Of the funds on deposit in the Treasury of the United States to the credit of the Omaha Tribe of Nebraska that were appropriated to pay a judgment by the Indian Claims Commission dated February 11, 1960, and the interest thereon, after payment of attorneys' fees and expenses, the Secretary of the Interior shall make a per capita distribution of a sum up to a maximum of $750, to the extent available, to each person whose name appears on the roll prepared pursuant to section 1 of this Act; and the balance of such funds after making payment of or provision for such per capita distribution and accrued and accruing interest, if any, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved in writing by the Secretary. The funds so distributed shall not be subject to Federal or State income taxes.

Tax exemption.

SEC. 4. (a) Except as provided in subsection (b) of this section, the Secretary shall distribute a per capita share payable to a living

enrollee directly to such enrollee, and the Secretary shall distribute a per capita share payable to a deceased enrollee directly to his next of kin or legatees as determined by the laws of the place of domicile of the decedent upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) A share payable to a person under twenty-one years of age or to a person under a legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

⊥SEC. 5. No part of any of the funds which may be so distributed shall be subject to any lien, debt, or claim of any nature whatsoever against the tribe or individual Indians except delinquent debts owed by the tribe to the United States or owed by individual Indians to the tribe or to the United States. ⊥1509
Liens, debts, etc.

SEC. 6. All costs incurred by the Secretary in the preparation of the roll and in the payment of the per capita shares in accordance with provisions of this Act shall be paid by appropriate withdrawals from the judgment fund. Costs

SEC. 7. The Secretary is authorized to prescribe rules and regulations to carry out the provisions of this Act. Administrative authority.

Approved, September 14, 1961.

PUBLIC LAW 87-237

AN ACT

September 14, 1961
[S. 2216]
75 Stat. 509

To authorize the transfer of three units of the Fort Belknap Indian irrigation project to the landowners within the project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to transfer to an association or organization of the landowners whose lands are served by the following units of the Fort Belknap Indian irrigation project all of the right, title, and interest of the United States in the irrigation project works of each unit: Indians.
Fort Belknap irrigation project, transfer of units.

(1) Upper Peoples Creek (Hays) unit, located in township 26 north, ranges 23 and 24 east, P.M.M., about 24 miles south of the Fort Belknap agency headquarters.

(2) Big Warm unit, located along the east boundary of the Fort Belknap Reservation in township 27 north, range 26 east, P.M.M., about 36 airline miles from the Fort Belknap agency headquarters.

⊥(3) Lower Peoples Creek (Ereaux) unit, located in the northeast corner of the Fort Belknap Reservation in townships 30 and 31, range 26 east, P.M.M., about 21 airline miles from the Fort Belknap agency headquarters. ⊥1510

The transferees shall thereafter have sole responsibility for the care, operation, and maintenance of the irrigation works of the units, and the United States shall have no responsibility therefor. The transfer of each unit shall be made in such form and under such conditions as the Secretary deems adequate to protect the interests of each landowner served by the unit, and shall include the rights-of-way for canals, laterals, and the project works that are transferred. Conditions.

SEC. 2. The Secretary of the Interior is authorized to cancel all accrued operation and maintenance charges at the time a transfer authorized by section 1 of this Act is made. Cancellation of charges.

Approved, September 14, 1961.

PUBLIC LAW 87-250

September 15, 1961
[S. 1540]

75 Stat. 520

AN ACT

To amend the law establishing the Indian revolving loan fund.

Indians
Revolving fund
25 U. S. C. 470.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriation authorization in section 10 of the Act of June 18, 1934 (48 Stat. 986), is hereby amended by increasing it from $10,000,000 to $20,000,000.

Approved, September 15, 1961.

PUBLIC LAW 87-273

September 22, 1961
[S. 200]

75 Stat. 571

AN ACT

To amend the Act entitled "An Act relative to employment for certain adult Indians on or near Indian reservations", approved August 3, 1956.

Indians
Vocational training
Appropriation

25 U. S. C. 309a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act relative to employment for certain adult Indians on or near Indian reservations", approved August 3, 1956 (70 Stat. 986), is amended by striking out "$3,500,000" and inserting in lieu thereof "$7,500,000" and by striking out "$500,000" and inserting in lieu thereof "$1,000,000".

Approved, September 22, 1961.

PUBLIC LAW 87-279

September 22, 1961
[S. 1501]

75 Stat. 577

AN ACT

To authorize the Secretary of the Interior to contract for the sale, operation, maintenance, repair, or relocation of Government-owned electric and telephone lines and other utility facilities used for the administration of the Bureau of Indian Affairs.

Indians
Utility facilities contracts.
Authority

Congressional approval

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, except for electric utility systems constructed and operated as a part of an irrigation system, the Secretary of the Interior is authorized to contract under such terms and conditions as he considers to be in the best interest of the Federal Government for the sale, operation, maintenance, repairs, or relocation of Government-owned utilities and utility systems and appurtenances used in the administration of the Bureau of Indian Affairs. The Secretary shall not execute a contract pursuant to this Act until he has submitted to the Committees on Interior and Insular Affairs of the Senate and the House of Representatives a copy of the contract and a statement of his reasons for proposing the contract, and until such materials have lain before the Committees for sixty days (excluding the time during which either House is in recess for more than three days) unless prior thereto the Secretary is notified that neither committee has any objection to the proposed contract.

Approved, September 22, 1961.

PUBLIC LAW 87-282

September 22, 1961
[S. 1719]

75 Stat. 584

AN ACT

To amend title 23 of the United States Code with respect to Indian reservation roads.

Indians.
Reservation roads.
72 Stat. 908.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 208 of title 23 of the United States Code is amended by adding at the end thereof the following new subsection:

"(d) Cooperation of States, counties, or other local subdivisions may

be accepted in such construction and improvement, and any funds, received from a State, county, or local subdivision shall be credited to appropriations available for Indian reservation roads and bridges."

Approved, September 22, 1961.

PUBLIC LAW 87-283

AN ACT

September 22, 1961
[S. 1768]
75 Stat. 584

To provide for the restoration to Indian tribes of unclaimed per capita and other individual payments of tribal trust funds.

Indians.
Unclaimed per capita payments, restoration

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That unless otherwise specifically provided by law, the share of an individual member of an Indian tribe or group in a per capita or other distribution, individualization, segregation, or proration of Indian tribal or group funds held in trust by the United States, or in an annuity payment under a treaty, heretofore or hereafter authorized by law, and any interest earned on such share that is properly creditable to the individual shall be restored to tribal ownership if for any reason such share cannot be paid to the individual entitled thereto and remains unclaimed for a period of six years from the date of the administrative directive to make the payment, or one year from the date of this Act, whichever occurs later: *Provided,* That if such individual is a member of an Indian tribe or group that has no governing body recognized by the Secretary of the Interior as authorized to act on behalf of the tribe or group, such unpaid share and interest shall be regarded as not capable of restoration to a tribal or group entity and shall be deposited in the general fund of the Treasury of the United States.

SEC. 2. The Secretary shall not restore to tribal ownership or deposit in the general fund of the Treasury any funds pursuant to this Act until sixty calendar days (exclusive of days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three days to a day certain) after he has submitted notice of his proposed action to the Committees on Interior and Insular Affairs of the Senate and House of Representatives unless each of said committees has theretofore notified him that it has no objection to the proposed action.

Notice to congressional committees

Approved, September 22, 1961.

PUBLIC LAW 87-284

AN ACT

September 22, 1961
[S. 1807]
75 Stat. 585

To authorize the disposition of land no longer needed for the Chilocco Indian Industrial School at Chilocco, Oklahoma.

Indians
Chilocco Indian Industrial School, Okla
Land conveyance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to convey, without consideration, to Charlie Gray, his successors or assigns, and to Esau Greenwood, his successors or assigns, respectively, title to the homestead sites within the Chilocco Indian Industrial School Reserve that are described below when all payments required by their homestead agreements have been paid:

(a) Charlie Gray homestead: Beginning at a point 39 rods south of the northeast corner of the northeast quarter section 17, township 29 north, range 2 east, Indian meridian; thence 24 rods south, thence 33⅓ rods west, thence 24 rods north, thence 33⅓ rods east to point of beginning, containing 5 acres.

(b) Esau Greenwood homestead: Beginning at a point 67 rods north of southeast corner of the northeast quarter section 20, township 29 north, range 2 east, Indian meridian, thence north 20 rods, thence

west 50 rods, thence south 10 rods, thence east 20 rods, thence south 10 rods, thence east 30 rods to point of beginning, containing 5 acres.

Approved, September 22, 1961.

PUBLIC LAW 87-287

September 22, 1961
[S. 2224]

75 Stat. 586

AN ACT

To grant minerals, including oil, gas, and other natural deposits, on certain lands in the Northern Cheyenne Indian Reservation, Montana, to certain Indians, and for other purposes.

Indians.
Northern Cheyenne Reservation, Mont.
Minerals grant.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of June 3, 1926 (44 Stat. 690), as amended by the Act of July 24, 1947 (61 Stat. 418), is hereby amended to read as follows:

"SEC. 3. (a) The coal or other minerals, including oil, gas, and other natural deposits, on said reservation are hereby reserved for the benefit of the tribe and may be leased with the consent of the Indian council for mining purposes in accordance with the provisions of the Act of May 11, 1938 (52 Stat. 347; 25 U. S. C. 396a–f), under such rules, regulations, and conditions as the Secretary of the Interior may prescribe: *Provided,* That at the expiration of fifty years from the date of the approval of this Act, the coal or other minerals, including oil, gas, and other natural deposits, of said allotments shall become the prop-⊥erty of the respective allottees or their heirs or devisees, subject to any outstanding leases, regardless of any prior conveyance by such allottee, heirs, or devisees of the land overlying such minerals, oils, gas, or other natural deposits and regardless of the form of reference in such conveyance, or lack of reference, to the minerals, oil, gas, or other natural deposits reserved by this Act.

70 Stat. 774.
25 U. S. C. 396a–396g

⊥587

"(b) Title to the minerals so granted shall be held by the United States in trust for the Indian owners, except that if upon the expiration of said fifty years the entire Indian interests in the minerals within any allotment or parcel thereof is granted by this Act to a person or persons who at that time hold an unrestricted title to the lands overlying such minerals, oil, gas, or other natural deposits, then the Secretary of the Interior shall by fee patent transfer to such person or persons the unrestricted fee simple title to such minerals, oil, gas, or other natural deposits, which title shall vest in such person or persons as of the date of the patent.

"(c) The unallotted lands of said tribe of Indians shall be held in common, subject to the control and management thereof as Congress may deem expedient for the benefit of said Indians."

Approved, September 22, 1961.

PUBLIC LAW 87-288

September 22, 1961
[S. 2241]

75 Stat. 587

AN ACT

To donate to the Jicarilla Apache Tribe of the Jicarilla Reservation, New Mexico, approximately 391.43 acres of federally owned land.

Indians.
Jicarilla Apache Tribe, N. Mex.
Land donation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right, title, and interest of the United States in the following described land containing 391.43 acres, more or less, situated in the State of New Mexico and now in use by the Jicarilla Apache Tribe of the Jicarilla Reservation—

Township 32 north, range 1 west, New Mexico principal meridian:

Section 31, lots 1, 2, 3, east half northwest quarter, northeast quarter southwest quarter, containing 234.38 acres, more or less;

Section 30, lot 4, northeast quarter southwest quarter, lot 3,

southeast quarter southwest quarter, containing 156.20 acres, more or less;

Beginning at corner numbered 1, from which the northwest corner of section 30, township 32 north, range 1 west, New Mexico principal meridian, bears north 57 degrees 40 minutes west a distance of 2,676 feet;

Thence from corner numbered 1 south 53 degrees 33 minutes west a distance of 396 feet to corner numbered 2; thence south 36 degrees 27 minutes east a distance of 100 feet to corner numbered 3;

Thence north 53 degrees 33 minutes east, a distance of 352 feet to corner numbered 4; thence north 12 degrees 32 minutes west, a distance of 112 feet to point of beginning, containing 0.85 acres, more or less;

is hereby declared to be held by the United States in trust for the Jicarilla Apache Tribe of the Jicarilla Reservation, New Mexico, subject to a reservation of the right of the United States to use so much of said land, together with all facilities now thereon or hereafter installed by the United States, as shall in the opinion of the Secretary of the Interior be needed for the administration of the affairs of the tribe, and subject to a reservation in the United States of a right-of-way across any part of said land which the Secretary of the Interior deems desirable in connection with the administration of the affairs of the tribe. 1588

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

Indian Claims Commission. Determination. 25 U. S. C. 70a.

Approved, September 22, 1961.

PUBLIC LAW 87-298

AN ACT

September 26, 1961 [H. R. 8236]

75 Stat. 639

To authorize the use of funds arising from judgments in favor of any of the Confederated Tribes of the Colville Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Colville Tribe, San Poeils-Nespelem Tribe, Okanogan Tribe, Methow Tribe, and Lake Tribe (certain constituent groups of the Confederated Tribes of the Colville Reservation) that were appropriated to pay a judgment of the Indian Claims Commission dated March 1, 1960, in docket numbered 181, and the funds which may be deposited in the Treasury of the United States to the credit of the said constituent groups or any other constituent groups of the Confederated Tribes of the Colville Reservation to pay any judgments arising out of proceedings presently pending before the Indian Claims Commission in dockets numbered 161, 179, 181-A, 181-B, 181-C, 222, and 224, and the interest on said judgments, after payment of attorney fees and expenses, shall be credited to the account of the Confederated Tribes of the Colville Reservation, and may be advanced or expended for any purpose that is authorized by the tribal governing body of the Confederated Tribes of the Colville Reservation and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribes shall not be subject to Federal or State income tax.

Indians. Colville Reservation. Confederated Tribes

Approved, September 26, 1961.

September 26, 1961
[H. R. 115]
75 Stat. 680

PUBLIC LAW 87-316

AN ACT

For the allocation of costs on the Wapato-Satus unit of the Wapato Indian irrigation project.

Wapato Indian irrigation project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall (a) designate within one year from the date of this Act the lands that are capable of being served by the irrigation works that have already been constructed on the Wapato-Satus unit of the Wapato Indian irrigation project, (b) determine the final construction costs of such works, (c) allocate the costs on a per acre basis to the land capable of being served, (d) assess the costs so allocated to land in non-Indian ownership, and (e) defer the assessment of the costs so allocated to land in Indian ownership in accordance with the Act of July 1, 1932 (47 Stat. 564).

25 U. S. C. 386a.

Trash racks.

SEC. 2. The Secretary of the Interior is authorized to install trash racks at the Yakima River diversion headworks of the Wapato-Satus unit, and the cost thereof shall be allocated and either assessed or deferred in accordance with the provisions of section 1 of this Act.

Additional lands.

SEC. 3. The Secretary of the Interior is authorized (a) to designate additional lands that could be served by the Wapato-Satus unit if additional works were constructed, and (b) to construct such additional works: *Provided,* That no land in non-Indian ownership shall be included until an agreement satisfactory to the Secretary has been reached with the owner thereof for payment of the construction cost.

Time period for payment.

SEC. 4. If the Secretary of the Interior determines that an operation and maintenance assessment for the repair or replacement of any irrigation works that have been or may be constructed on the Wapato-Satus unit exceeds the amount that should reasonably be paid in one year, he may provide for payment over such period of time as he deems reasonable.

Costs; proportionate share.

SEC. 5. The proportionate share of the cost incurred under sections 2 and 3 of this Act that is allocated to land in Indian ownership shall be added to the deferred construction charges determined under section 1 of this Act, and the total amount shall be assessed on a per acre basis when the deferment is terminated.

Redesignation of lands.

SEC. 6. The Secretary of the Interior is authorized to redesignate from time to time the lands that are capable of being served by the irrigation works of the Wapato-Satus unit. Any Indian or non-Indian land that is removed from the project by such redesignation shall bear its proportionate share of the construction costs, either deferred or assessed, and its proportionate share of the operation and maintenance cost to the date of such removal, if the removal is based on a redesignation for a higher use. If the lands removed are in Indian ownership, and the removal is based on any other factor, the lands shall not thereafter be assessed for construction charges.

Approved, September 26, 1961.

September 30, 1961
[H. R. 9169]
75 Stat. 733

PUBLIC LAW 87-332

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1962, and for other purposes.

Supplemental Appropriation Act, 1962.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1962") for the fiscal year ending June 30, 1962, and for other purposes, namely:

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥743

* * *

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and Welfare Services," $750,000.

* * *

Approved, September 30, 1961.

PUBLIC LAW 83-347

AN ACT

October 3, 1961
[H. R. 84]
75 Stat. 766

To stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to establish and maintain a program of stabilization payments to small domestic producers of lead and zinc ores and concentrates in order to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands as provided in this Act.

Lead and zinc mining.
Stabilization.

SEC. 2. (a) Subject to the limitations of this Act, the Secretary shall make stabilization payments to small domestic producers upon presentation of evidence satisfactory to him of their status as such producers and of the sale by them of newly mined ores, or concentrates produced therefrom, as provided in this Act. Payments shall be made only with respect to the metal content as determined by assay.

(b) Such payments shall be made to small domestic producers of lead as long as the market price for common lead at New York, New ⊥York, as determined by the Secretary, is below 14½ cents per pound, ⊥767 and such payments shall be 75 per centum of the difference between 14½ cents per pound and the average market price for the month in which the sale occurred as determined by the Secretary.

(c) Such payments shall be made to small domestic producers of zinc as long as the market price for prime western zinc at East Saint Louis, Illinois, as determined by the Secretary, is below 14½ cents per pound, and such payments shall be 55 per centum of the difference between 14½ cents per pound and the average market price for the month in which the sale occurred as determined by the Secretary.

(d) The maximum amount of payments which may be made pursuant to this Act on account of sales of newly mined ores or concentrates produced therefrom made during the calendar year 1962 shall not exceed $4,500,000; the maximum amount of such payments which may be made on account of such sales made during the calendar year 1963 shall not exceed $4,500,000; the maximum amount of such payments which may be made on account of such sales made during the calendar year 1964 shall not exceed $4,000,000; and the maximum amount of such payments which may be made on account of such sales made during the calendar year 1965 shall not exceed $3,500,000.

SEC. 3. (a) Subject to the provisions of subsection (b) and subsection (c) of this section, no stabilization payments under this Act shall be made to any small domestic producer on sales, or further processing in lieu of sales, in the twelve-month period ending December 31, 1962, in excess of one thousand five hundred tons of zinc and one thousand five hundred tons of lead; or in the twelve-month period ending December 31, 1963, in excess of one thousand two hundred tons of zinc and one thousand two hundred tons of lead; or in the twelve-month period ending December 31, 1964, in excess of nine hundred tons of zinc and nine hundred tons of lead; and in the twelve-month period

ending December 31, 1965, in excess of six hundred tons of zinc and six hundred tons of lead, subject to the further limitation that no producer may be paid in any such calendar year for an amount in excess of his maximum production during any calendar year between January 1, 1950, and December 31, 1960. Payments shall be made only with respect to ores and concentrates produced from an operating unit which was operated during the whole or some part of the period January 1, 1956, to August 1, 1961. No payments shall be made on any production from any property acquired by sale, lease, permit, or otherwise (except devise or inheritance) subsequent to August 1, 1961: *Provided, however,* That any person or firm acquiring a property by sale, lease, permit, or otherwise may qualify as a small domestic producer if such person or firm produced ores or concentrates from a mine specified in a lease, permit, or contract during the whole or some part of the period January 1, 1956, to August 1, 1961.

(b) No stabilization payments under this Act shall be made on any domestically produced material which is sold to or eligible for sale to the United States Government, or any agency thereof, pursuant to a contract made under the provisions of the Defense Production Act of 1950, as amended, or the Strategic and Critical Materials Stockpiling Act. Any such material shall be applied to reduce the annual limitations specified in this section, and the quarterly limitations as fixed by the Secretary.

64 Stat. 798.
50 U. S. C. app. 2061.
60 Stat. 596.
50 U. S. C. 98 note.

(c) For purposes of administration the Secretary may fix quarterly limitations on the total amounts of each material on which stabilization payments are made for the purpose of achieving stabilization in the annual rates of production.

Regulations and reports.

SEC. 4. The Secretary is authorized to establish and promulgate such regulations and require such reports as he deems necessary to carry out ⊥the purposes of this Act, but such regulations shall assure equitable distribution of the benefits of the programs provided by this Act among the small domestic producers affected.

⊥768

SEC. 5. The Secretary may delegate any of the functions authorized by this Act to the Administrator of General Services.

Definitions.

SEC. 6. (a) For the purposes of this Act—

(1) The term "Secretary" means the Secretary of the Interior.

(2) The term "small domestic producer" means any person or firm engaged in producing ores or concentrates from mines located within the United States or its possessions and in selling the material so produced in normal commercial channels who, during any twelve-month period between January 1, 1956, and the first day of the period for which he seeks payments under this Act, has not produced or sold ores or concentrates the recoverable content of which is more than three thousand tons of lead and zinc combined, recoverable content being computed as 95 per centum of the lead content of the ores or concentrates and 85 per centum of the zinc content of the ores or concentrates.

(3) The term "sale" means a bona fide transfer for value of ores and concentrates from a producer to a processing plant. In the event that a producer further processes ores or concentrates, a sale shall be deemed to have occurred when such ores or concentrates are shipped to the processing plant.

(4) The term "newly mined" means domestic material processed into concentrates or severed from the land subsequent to the date of enactment of this Act, but shall not exclude normal inventories of crude ore. The term does not refer to material recovered from mine dumps, mill tailings, or from smelter slags and residues derived from material mined prior to the date of enactment of this Act.

(5) The term "quarter" means the calendar periods commencing on the first day of the months of January, April, July, and October.

(b) For the purposes of this Act, the Secretary may determine what

constitutes a single operating unit producing ores and, in the event that more than one producer claims payment for sales from production of a single operating unit, the Secretary may determine the quantity of sales for each such producer to which the above limitations apply.

(c) For purposes of this Act, sales of concentrates produced from ores sold to a mill or processing plant in accordance with regulations issued pursuant to this Act shall not be considered as the sales of the owner of the mill, but shall be considered as the sales of the small domestic producer of the ores.

SEC. 7. No payment shall be made under this Act on any ores or concentrates sold, or processed in lieu of sale, after December 31, 1965; but authorized payment shall be made only if application therefor is filed not later than March 31, 1966, in accordance with regulations established by the Secretary.

SEC. 8. The Secretary shall make an annual report with respect to operations under this Act not later than March 1 of each year to the Congress of the United States. Any such report shall contain such recommendations as the Secretary may deem appropriate. Report to Congress.

SEC. 9. (a) Whoever, for the purpose of procuring a payment to which he is not entitled under this Act and the regulations issued pursuant thereto or for the purpose of assisting another to procure a payment to which the other is not entitled under this Act and the regulations issued pursuant thereto, misrepresents any material fact, knowing the same to be false, fictitious, or fraudulent, shall be guilty of an offense against the United States and shall be fined not more than $5,000 or imprisoned not more than two years, or both, and shall thenceforth be entitled to no benefits under this Act.

⊥(b) Whoever accepts a payment under this Act to which, or any portion of which, he is not entitled, knowing that he is not entitled thereto or whoever, having accepted a payment under this Act to which, or any portion of which, he is not entitled, retains the same, knowing that he is not entitled thereto, shall be required, in a civil action instituted by the Attorney General, to refund treble the amount accepted or retained by him. The acceptance or retention of any payment as aforesaid shall also constitute an offense against the United States punishable by a fine of not more than $5,000 or imprisonment for not more than two years, or both, and any person who shall be convicted of such offense shall thenceforth be entitled to no benefits under this Act. ⊥1769

(c) No producer shall be eligible for payment under this Act if he is operating under a lease, contract, or permit obtained after the effective date of this Act from another producer of lead and zinc who has placed a larger portion of his mining properties under lease, contract, or permit to other producers than he had placed at his highest production level since January 1, 1956, to the effective date of this Act.

Approved, October 3, 1961.

PUBLIC LAW 87-367

AN ACT

October 4, 1961
[H. R. 7377]
75 Stat. 785

To increase the limitation on the number of positions which may be placed in the top grades of the Classification Act of 1949, as amended, to provide certain additional research and development positions, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Classification Act of 1949, amendments.

* * *

⊥TITLE III—REALINEMENT OF COMPENSATION OF CERTAIN POSITIONS UNDER THE CLASSIFICATION ACT OF 1949 AND THE FEDERAL EXECUTIVE PAY ACT OF 1956 ⊥1792

* * *

⊥793

⊥READJUSTMENT OF CERTAIN PAY LEVELS OF THE FEDERAL EXECUTIVE PAY ACT OF 1956

SEC. 303. (a) Clause (4) of section 104 (a) of the Federal Executive Pay Act of 1956, as amended (5 U. S. C. 2203 (a)), is amended to read as follows:

70 Stat. 736

* * *

⊥794

⊥"(23) Commissioner of the Indian Claims Commission (3)."

* * *

Approved, October 4, 1961.

October 4, 1961
[H. R. 3575]
75 Stat. 804

PUBLIC LAW 87-375

AN ACT

To authorize longer term leases of Indian lands on the Dania Reservation in Florida.

Indians
Dania Reservation, Fla.
Leases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U. S. C. 415), is further amended by inserting after the words "Agua Caliente (Palm Springs) Reservation" the words, "the Dania Reservation,".

(b) The third sentence of the first section of such Act of August 9, 1955, is amended by inserting after "residential, or business purposes" the words "(except leases the initial term of which extends for more than seventy-four years)".

Approved, October 4, 1961.

October 4, 1961
[H. R. 3587]
75 Stat. 806

PUBLIC LAW 87-377

AN ACT

To provide outpatient medical and dental treatment for veterans of the Indian wars on the same basis as such treatment is furnished to veterans of the Spanish-American War, and to extend the time within which certain children eligible for benefits under the War Orphans Educational Assistance Act of 1956 may complete their education.

Indian war veterans
Outpatient care
72 Stat. 1142.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e), and paragraph (5) of subsection (b), of section 612 of title 38, United States Code, are each amended by inserting "or Indian wars" immediately after "Spanish-American War".

72 Stat. 1194

38 U. S. C. 1701-1768.

SEC. 2. The period referred to in section 1712 of title 38, United States Code, shall not end before June 18, 1963, with respect to pursuit of a program of education or special restorative training under chapter 35 of such title 38 by an eligible person who (1) had not reached his twenty-third birthday on June 29, 1956, and (2) resided in the Republic of the Philippines during all or part of the period June 29, 1956, through June 18, 1958.

Approved, October 4, 1961.

October 4, 1961
[H. R. 3572]
75 Stat. 809

PUBLIC LAW 87-379

AN ACT

To place in trust status certain lands on the Crow Creek Indian Reservation in South Dakota, and for other purposes.

Indians
Crow Creek Reservation, S. Dak.
Lands

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest in and to the following described tracts of land on the Crow Creek Indian Reservation in South Dakota, purchased by the United States for Crow Creek Indian school purposes, shall

hereafter be held by the United States in trust for the benefit of the Crow Creek Sioux Tribe of South Dakota:

Township 107 north, range 72 west, fifth principal meridian: Section 2, lots 3, 4, southwest quarter, south half northwest quarter, 318.65 acres; section 3, lots 1, 2, 3, 4, south half north half, 317.60 acres; section 4, southeast quarter, 160.00 acres.

Township 108 north, range 72 west, fifth principal meridian: Section 33, south half, 320.00 acres; section 35, southwest quarter, 160.00 acres; a total of 1,276.25 acres.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

Approved, October 4, 1961.

PRIVATE LAWS OF THE EIGHTY-SEVENTH CONGRESS, FIRST SESSION, 1961

PRIVATE LAW 87–192

AN ACT

September 14, 1961
[S. 888]
75 Stat. 916

To authorize the Secretary of the Interior to lease certain lands in the State of Utah to Joseph A. Workman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to enter into agreements with Joseph A. Workman, of Roosevelt, Utah, leasing the following described tracts of lands to the said Joseph A. Workman for the sole purpose of prospecting for, and the mining of, gilsonite:

Joseph A. Workman.
Lease of certain lands.

(a) Beginning at a point (numbered 1), 1,300 feet north of section corner common to sections 15, 16, 21, and 22; thence north 645 feet to point numbered 2; thence south 50 degrees 30 minutes east 3,500 feet to point numbered 3; thence south 645 feet to point numbered 4; thence north 50 degrees 30 minutes west 3,500 feet to point of beginning, sections 15 and 22, township 10 south, range 20 east, Salt Lake ⊥meridian, Uintah and Ouray Reservation, Uintah County, ⊥917 State of Utah, and containing 40 acres, more or less.

(b) Beginning at point numbered 1, 2,230 feet south of section corner common to sections 16, 17, 20, and 21; thence north 55 degrees west 2,750 feet to point numbered 2; thence north 51 degrees west 1,540 feet to point numbered 3; thence north 71 degrees west 2,100 feet to point numbered 4; thence north 510 feet to point numbered 5; thence south 71 degrees east 850 feet to point numbered 6; thence north 51 degrees west 1,050 feet to point numbered 7; thence north 650 feet to point numbered 8; thence south 51 degrees east 4,440 feet to point numbered 9; thence south 55 degrees east 2,440 feet to point numbered 10; thence south 590 feet to point of beginning, sections 17 and 20, township 9 south, range 20 east, Salt Lake meridian, Uintah and Ouray Reservation, Uintah County, State of Utah, and containing 96 acres, more or less.

SEC. 2. Any agreement entered into pursuant to the first section of this Act shall provide (1) for the leasing of the lands described in paragraphs (a) and (b) of the first section in accordance with the same terms and conditions, except as otherwise provided in this Act, as those provided for in the leases numbered 14–20–325 and 14–20-462–325 (a), respectively, dated January 26, 1959, entered into between (A) the Ute Indian Tribe of the Uintah and Ouray Reservation and the Affiliated Ute Citizens of the State of Utah, and (B) Joseph A. Workman; (2) that all rents and royalties payable under any such agreements shall be paid to the Secretary of the Interior and depos-

ited by him in the general fund of the Treasury of the United States; and (3) that such lands described in paragraphs (a) and (b) of the first section shall be leased for a term of ten years beginning January 26, 1959, and as long thereafter as gilsonite is produced in paying quantities.

Approved, September 14, 1961.

PUBLIC LAWS OF THE EIGHTY-SEVENTH CONGRESS, SECOND SESSION, 1962

PUBLIC LAW 87-416

March 16, 1962
[S. 201]
76 Stat. 33

AN ACT

To donate to the Zuni Tribe approximately six hundred and ten acres of federally owned land.

Indians.
Zuni Tribe.
Land conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in approximately six hundred and ten and eighty-nine one-hundredths acres of land in section 22, township 10 north, range 20 west, New Mexico principal meridian, and any improvements thereon, that were excepted from the conveyance made by the Act of August 13, 1949 (63 Stat. 604), and retained as Federal land for administrative purposes, is hereby declared to be held in trust for the Zuni Tribe.

25 U. S. C. 621.

Approved, March 16, 1962.

PUBLIC LAW 87-417

March 16, 1962
[S. 1299]
76 Stat. 33

AN ACT

To amend the Act of June 4, 1953 (67 Stat. 41), entitled "An Act to authorize the Secretary of the Interior, or his authorized representative, to convey certain school properties to local school districts or public agencies."

Indian schools.
Land conveyance limitation, increase.
25 U. S. C. 293a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second proviso in the Act of June 4, 1953 (67 Stat. 41), as amended, is amended to read: "*Provided further,* That no more than fifty acres of land shall be transferred under the terms of this Act in connection with any single school property conveyed to State or local governmental agencies or to local school authorities."

Approved, March 16, 1962.

PUBLIC LAW 87-432

April 4, 1962
[H. R. 11301]
76 Stat. 53

AN ACT

To provide assistance to Menominee County, Wisconsin, and for other purposes.

Menominee County, Wis.
Assistance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide financial assistance to Menominee County, Wisconsin, for a transitional period after April 30, 1961, the Secretary of the Interior is authorized, notwithstanding anything contained in the Menominee Indian Termination Act of June 17, 1954 (68 Stat. 250), as amended (25 U. S. C. 891–902), and the proclamation of the Secretary of the Interior pursuant thereto dated April 26, 1961 (26 Fed. Reg. 3726), to make grants either to the State of Wisconsin for distribution to the County or Town of Menominee or directly to said county or town, for contributions to joint school district costs, in not more than the following amounts:

(a) during the year ending April 30, 1962, $220,000;

(b) during the year ending April 30, 1963, 80 per centum of the amount aforesaid;

(c) during the year ending April 30, 1964, 60 per centum of the amount aforesaid;

(d) during the year ending April 30, 1965, 40 per centum of the amount aforesaid;

(e) during the year ending April 30, 1966, 20 per centum of the amount aforesaid.

154 Any grant made under this section shall be made only upon such written assurances relating to control and supervision by responsible State officials to insure that the grant is used for the purpose intended as the Secretary may require. No grant shall serve to diminish the amounts which the County or Town of Menominee is entitled to receive from the State as provided by its laws, except so far as such diminution arises from treating the grants as if they were taxes raised by said county or town for purposes of determining what amounts, if any, the State is required to pay to said county and town under its laws.

SEC. 2. The Surgeon General of the Public Health Service, Department of Health, Education, and Welfare, is authorized to construct under the Act of July 31, 1959 (73 Stat. 267, 42 U. S. C. 2004a), such sanitation facilities on the former Menominee Reservation as he finds are reasonble and justified and to expend for this purpose not more than $438,000. The authority granted by this section shall expire at the end of fiscal year 1965.

SEC. 3. There are authorized to be appropriated such sums, not in excess of $1,098,000, as are required to carry out the provisions of this Act. Appropriation.

Approved, April 4, 1962.

PUBLIC LAW 87-469

AN ACT

May 31, 1962
[H. R. 9097]
76 Stat. 89

To authorize the Secretary of the Interior to sell certain public lands in Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, in his discretion, is hereby authorized to sell at not less than their fair market value, as determined by the Secretary by appraisal, taking into consideration any reservations specified by the Secretary pursuant to sections 3 and 4 of this Act, any of those lands in the State of Idaho, in the vicinity of the Snake River or any of its tributaries which have been, or may be, found upon survey to be omitted public lands of the United States, which lands are not within the boundaries of a national forest or other Federal reservation and are not lawfully appropriated by a qualified settler or entryman claiming under the public land laws, or are not used and occupied by Indians claiming by reason of aboriginal rights or are not used and occupied by Indians who are eligible for an allotment under the laws pertaining to allotments on the public domain. Idaho.
Sale of public lands.

SEC. 2. Any citizen of the United States who, in good faith under color of title or claiming as a riparian owner has, prior to March 30, 1961, placed valuable improvements upon, reduced to cultivation, or occupied any of the lands subject to the operation of this Act, or whose ancestors or predecessors in title have taken such action, shall, if such lands be offered for sale by the Secretary, have a preference right to purchase such lands at their fair market value (which shall not include any increased value resulting from the development or improvement thereof for agricultural or other purposes by the applicant or his predecessors in interest) under such rules and regulations as the Secretary may prescribe for the operation of this Act. Preference rights.

SEC. 3. All patents issued under the provisions of this Act shall be subject to and contain a reservation to the United States of all the Patents
Mineral reservation

coal, oil, gas, oil shale, phosphate, potash, sodium, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), together with the right to prospect for, mine, and remove the same.

Right of access.

SEC. 4. The Secretary, in his discretion, may reserve in patents issued under this Act the right of access to the public through the lands and such other reservations as he may deem appropriate and consonant with the public interest in preserving public recreational values in the lands.

Rules and regulations.

SEC. 5. The Secretary is hereby authorized to prescribe all necessary rules and regulations for administering the provisions of this Act, including, without limitation, the determination of conflicting claims arising hereunder.

Approved, May 31, 1962.

June 13, 1962
[S. 107]
76 Stat. 96

PUBLIC LAW 87-483

AN ACT

To authorize the Secretary of the Interior to construct, operate, and maintain the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project, and for other purposes.

Navajo Indian irrigation project, San Juan Chama project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of furnishing water for the irrigation of irrigable and arable lands and for municipal, domestic, and industrial uses, providing recreation and fish and wildlife benefits, and controlling silt, and for other beneficial pruposes, the Congress approves as participating projects of the Colorado River storage project (Act of April 11, 1956, 70 Stat. 105, as amended, 43 U. S. C. 620–620o) the Navajo Indian irrigation project, New Mexico, and the initial stage of the San Juan-Chama project, Colorado-New Mexico. The Navajo Indian irrigation project and the initial stage of the San Juan-Chama project herein approved are substantially those described in the proposed coordinated report of the Acting Commissioner of Reclamation and the Commissioner of Indian Affairs, approved and adopted by the Secretary of the Interior on October 16, 1957, as conditioned, modified, and limited herein.

NAVAJO INDIAN IRRIGATION PROJECT

43 U. S. C. 620-620o

SEC. 2. Pursuant to the provisions of the Act of April 11, 1956, as amended, the Secretary of the Interior is authorized to construct, operate, and maintain the Navajo Indian irrigation project for the principal purpose of furnishing irrigation water to approximately one hundred and ten thousand six hundred and thirty acres of land, said project to have an average annual diversion of five hundred and eight thousand acre-feet of water and the repayment of the costs of construction thereof to be in accordance with the provisions of said Act of April 11, 1956, as amended, including, but not limited to, section 4 (d) thereof.

43 U. S. C. 620c

Publication in F. R.

SEC. 3. (a) In order to provide for the most economical development of the Navajo Indian irrigation project, the Secretary shall declare by publication in the Federal Register that the United States of America holds in trust for the Navajo Tribe of Indians any legal subdivisions or unsurveyed tracts of federally owned land outside the present boundary of the Navajo Indian Reservation in New Mexico in townships 28 and 29 north, ranges 10 and 11 west, and townships 27 and 28 north, ranges 12 and 13 west, New Mexico principal meridian, susceptible to irrigation as part of the project or necessary for location of any of the works or canals of such project: *Provided, however*, That no such legal

subdivision or unsurveyed tract shall be so declared to be held in trust by the United States for the Navajo Tribe until the Navajo Tribe shall have paid the United States the full appraised value thereof: *And provided further*, That in making appaisals of such lands the Secretary shall consider their values as of the date of approval of this Act, excluding therefrom the value of minerals subject to leasing under the Act of February 25, 1920, as amended (30 U. S. C. 181–286), and such leasable minerals shall not be held in trust for the Navajo Tribe but shall continue to be subject to leasing under the Act of February 25, 1920, as amended, after the lands containing them have been declared to be held in trust by the United States for the Navajo Tribe.

41 Stat. 437

(b) The Navajo Tribe is authorized to convey to the United States, and the Secretary shall accept on behalf of the United States, title to any land or interest in land within the above-described townships, susceptible to irrigation as part of the Navajo Indian irrigation project or necessary for location of any of the works or canals of such project, acquired in fee simple by the Navajo Tribe, and after such conveyance said land or interest in land shall be held in trust by the United States for the Navajo Tribe as a part of the project.

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(c) The Secretary is authorized to acquire by purchase, exchange, or condemnation any other land or interest in land within the townships above described susceptible to irrigation as part of the Navajo Indian irrigation project or necessary for location of any of the works or canals of such project. After such acquisition, said lands or interest in lands shall be held by the United States in trust for the Navajo Tribe of Indians.

Land acquisition.

SEC. 4. In developing the Navajo Indian irrigation project, the Secretary is authorized to provide capacity for municipal and industrial water supplies or miscellaneous purposes over and above the diversion requirements for irrigation stated in section 2 of this Act, but such additional capacity shall not be constructed and no appropriation of funds for such construction shall be made until contracts have been executed which, in the judgment of the Secretary, provide satisfactory assurance of repayment of all costs properly allocated to the purposes aforesaid with interest as provided by law.

Capacity.

SEC. 5. Payment of operation and maintenance charges of the irrigation features of the Navajo Indian irrigation project shall be in accordance with the provisions of the Act of August 1, 1914 (38 Stat. 582, 583), as amended (25 U.S.C. 385): *Provided*, That the Secretary may transfer to the Navajo Tribe of Indians the care, operation, and maintenance of all or any part of the project works, subject to such rules and regulations as he may prescribe and, in such event, the Secretary may transfer to the Navajo Tribe title to movable property necessary to the operation and maintenance of those works.

Operation and maintenance charges.

SEC. 6. For the period ending ten years after completion of construction of the Navajo Indian irrigation project no water from the project shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in section 408(c) of the Agricultural Act of 1949 (63 Stat. 1056, 7 U.S.C. 1428), or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938 (52 Stat. 41), as amended (7 U.S.C. 1281), unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

Water use

7 U. S. C. 1301.

SEC. 7. There are hereby authorized to be appropriated to the Bureau of Indian Affairs such sums as may be required to construct the Navajo Indian irrigation project, including the purchase of lands under section 3, subsection (c), of this Act, but not more than $135,000,000 (June 1961 prices) plus or minus such amounts, if any, as

Appropriation

may be required by reason of changes in construction costs as indicated by engineering cost indices applicable to the type of construction involved therein.

SAN JUAN-CHAMA RECLAMATION PROJECT (INITIAL STAGE)

43 U. S. C. 620–620o.

SEC. 8. Pursuant to the provisions of the Act of April 11, 1956, as amended, the Secretary is authorized to construct, operate, and maintain the initial stage of the San Juan-Chama project, Colorado-New Mexico, for the principal purposes of furnishing water supplies to approximately thirty-nine thousand three hundred acres of land in the Cerro, Taos, Llano, and Pojoaque tributary irrigation units in the ⊥ Rio Grande Basin and approximately eighty-one thousand six hundred acres of land in the existing Middle Rio Grande Conservancy District and for municipal, domestic, and industrial uses, and providing recreation and fish and wildlife benefits. The diversion facilities of the initial stage authorized herein shall be so constructed and operated as to divert only natural flow of the Navajo, Little Navajo, and Blanco Rivers in Colorado as set forth in the supplemental project report dated May 1957. The principal engineering works of the initial stage development, involving three major elements, shall include diversion dams and conduits, storage and regulation facilities at the Heron Numbered 4 Reservoir site, enlarged outlet works of the existing El Vado Dam, and water use facilities consisting of reservoirs, dams, canals, lateral and drainage systems, and associated works and appurtenances. The construction of recreation facilities at the Nambe Reservoir shall be contingent upon the Secretary's making appropriate arrangements with the governing body of the Nambe Pueblo for the operation and maintenance of such facilities, and the construction of recreation facilities at the Heron Numbered 4, Valdez, and Indian Camp Reservoirs shall be contingent upon his making appropriate arrangements with a State or local agency or organization for the operation and maintenance of those facilities: *Provided*, That—

Conditions.

(a) the Secretary shall so operate the initial stage of the project authorized herein that diversions to the Rio Grande Valley shall not exceed one million three hundred and fifty thousand acre-feet of water in any period of ten consecutive years, reckoned in continuing progressive series starting with the first day of October after the project shall have commenced operation: *Provided, however*, That not more than two hundred and seventy thousand acre-feet shall be diverted in any one year;

(b) the Secretary shall operate the project so that there shall be no injury, impairment, or depletion of existing or future beneficial uses of water within the State of Colorado, the use of which is within the apportionment made to the State of Colorado by article III of the Upper Colorado River Basin compact, as provided by article IX of the Upper Colorado River Basin compact and article IX of the Rio Grande compact;

(c) all works of the project shall be constructed so as to permit compliance physically with all provisions of the Rio Grande compact, and all such works shall be operated at all times in conformity with said compact;

(d) the amount of water diverted in the Rio Grande Basin for uses served by the San Juan-Chama project shall be limited in any calendar year to the amount of imported water available to such uses from importation to and storage in the Rio Grande Basin in that year;

(e) details of project operation essential to accounting for diverted San Juan and Rio Grande flows shall be developed through the joint efforts of the Rio Grande Compact Commission, the Upper Colorado River Commission, the appropriate agencies

of the United States and of the States of Colorado, New Mexico, and Texas, and the various project entities. In this connection the States of Texas and New Mexico shall agree, within a reasonable time, on a system of gaging devices and measurements to secure data necessary to determine the present effects of tributary irrigation, as well as present river channel losses: *Provided*, That if the State of Texas shall require, as a condition precedent to such agreement, gaging devices and measurements in addition to or different from those considered by the Department of the Interior and the State of New Mexico to be necessary to this determination, the State of Texas shall pay one-half of all costs of constructing and operating such additional or different devices and making such additional or different measurements which are not borne by the United States. The results of the action required by this subsection shall be incorporated in a written report transmitted to the States of Colorado, Texas, and New Mexico for comment in the manner provided in the Flood Control Act of 1944 before any appropriation shall be made for project construction;

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58 Stat. 888.
33 U. S. C. 701-1.

(f) the Secretary shall operate the project so that for the preservation of fish and aquatic life the flow of the Navajo River and the flow of the Blanco River shall not be depleted at the project diversion points below the values set forth at page D2–7 of appendix D of the United States Bureau of Reclamation report entitled "San Juan-Chama Project, Colorado-New Mexico", dated November 1955;

(g) the Secretary is hereby authorized to construct the tunnel and conduit works of the initial stage of the San Juan-Chama project with sufficient capacity for future diversion of an average of two hundred and thirty-five thousand acre-feet per annum: *Provided, however*, That nothing contained in this Act shall be construed as committing the Congress of the United States to future authorization of any additional stage of the San Juan-Chama project.

SEC. 9. For the period ending ten years after completion of construction of the initial stage of the San Juan-Chama project no water from the project shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in section 408(c) of the Agricultural Act of 1949 (63 Stat. 1056, 7 U.S.C. 1428), or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938 (52 Stat. 41), amended (7 U.S.C. 1281), unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

7 U. S. C. 1301.

SEC. 10. The amount which section 12 of the Act of April 11, 1956, authorizes to be appropriated is hereby increased by $85,828,000 (June 1961 prices) plus or minus such amounts, if any, as may be required by reason of changes in construction costs as indicated by engineering cost indices applicable to the types of construction involved, which increase shall be available solely for construction of the San Juan-Chama project and shall not be used for any other purpose.

Appropriation.
70 Stat. 110.
43 U. S. C. 620k.

GENERAL

SEC. 11. (a) No person shall have or be entitled to have the use for any purpose, including uses under the Navajo Indian irrigation project and the San Juan-Chama project authorized by section 2 and 8 of this Act, of water stored in Navajo Reservoir or of any other waters of the San Juan River and its tributaries originating above Navajo Reservoir to the use of which the United States is entitled under these

Contracts

projects except under contract satisfactory to the Secretary and conforming to the provisions of this Act. Such contracts, which, in the case of water for Indian uses, shall be executed with the Navajo Tribe, shall make provision, in any year in which the Secretary anticipates a shortage, taking into account both prospective runoff originating above Navajo Reservoir and the available water in storage in Navajo Reservoir, for a sharing of the available water in the following manner: The prospective runoff shall be apportioned between the contractors diverting above those diverting at or below Navajo Reservoir in the proportion that the total normal diversion requirement of each group bears to the total of all normal diversion requirements. In the case of contractors diverting above Navajo Reservoir, each such contract shall provide for a sharing of the runoff apportioned to said group in the same proportion as the normal diversion requirement under said contract bears to the total normal diversion requirements of all such contracts that have been made hereunder: *Provided*, That for any year in which the foregoing sharing procedure either would apportion to any contractor diverting above Navajo Reservoir an amount in excess of the runoff anticipated to be physically available at the point of his diversion, or would result in no water being available to one or more such contractors, the runoff apportioned to said group shall be reapportioned, as near as may be, among the contractors diverting above Navajo Reservoir in the proportion that the normal diversion requirements of each bears to the total normal diversion requirements of the group. In the case of contractors diverting from or below Navajo Reservoir, each such contract shall provide for a sharing of the remaining runoff together with the available storage in the same proportion as the normal diversion requirement under said contract bears to the total normal diversion requirements under all such contracts that have been made hereunder.

The Secretary shall not enter into contracts for a total amount of water beyond that which, in his judgment, in the event of shortage, will result in a reasonable amount being available for the diversion requirements for the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as specified in section 2 and 8 of this Act.

No long-term contract, except contracts for the benefit of the lands and for the purposes specified in sections 2 and 8 of this Act, shall be entered into for the delivery of water stored in Navajo Reservoir or of any other waters of the San Juan River and its tributaries, as aforesaid, until the Secretary has determined by hydrologic investigations that sufficient water to fulfill said contract is reasonably likely to be available for use in the State of New Mexico during the term thereof under the allocations made in articles III and XIV of the Upper Colorado River Basin compact, and has submitted such determination to the Congress of the United States and the Congress has approved such contracts: *Provided*, That nothing contained in the foregoing shall be construed to forbid the Secretary from entering into temporary water supply contracts in the San Juan River Basin for any year in which he determines that water legally available for use in the upper basin of the Colorado River system would otherwise not be used there and is not needed to fulfill the obligations of the upper division States with respect to delivery of water at Lee Ferry.

(b) If contracts are entered into for delivery from storage in Navajo Reservoir of water not covered by subsection (a) of this section, such contracts shall be subject to the same provision for sharing of available water supply in the event of shortage as in the case of contracts required to be made pursuant to subparagraph (a) of this section.

Limitations.

(c) This section shall not be applicable to the water requirements of the existing Fruitland, Hogback, Cudai, and Cambridge Indian irriga-

tion projects, nor to the water required in connection with the extension of the irrigated acreages of the Fruitland and Hogback Indian irrigation projects in a total amount of approximately eleven thousand acres.

SEC. 12. (a) None of the project works or structures authorized by this Act shall be so operated as to create, implement, or satisfy any ⊥preferential right in the United States or any Indian tribe to the ⊥101
water impounded, diverted, or used by means of such project works or structures, other than contained in those rights to the uses of water granted to the States of New Mexico or Arizona pursuant to the provisions of the Upper Colorado River Basin compact.

(b) The projects authorized by this Act shall be so operated that no waters shall be diverted or used by means of the project works, which, together with all other waters used or diverted from the San Juan River Basin in New Mexico, will exceed the water available to the States of New Mexico and Arizona under the allocation contained in article III of the Upper Colorado River Basin compact for any water year.

SEC. 13. (a) The use of water, including that diverted from the Colorado River system to the Rio Grande Basin, through works constructed under authority of this Act, shall be subject to and controlled by the Colorado River compact, the Upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act, and the Mexican Water Treaty (Treaty Series 994), and shall be included within and shall in no way increase the total quantity of water to the use of which the State of New Mexico is entitled and limited under said compact, statutes, and treaty, and every contract entered into under this Act for the storage, use, and delivery of such water shall so recite.

45 Stat. 1057; 54 Stat. 774; 70 Stat. 105.
43 U. S. C. 617t, 618o, 620–620o.
59 Stat. 1219.

(b) All works constructed under authority of this Act, and all officers, employees, permittees, licensees, and contractees of the United States and of the State of New Mexico acting pursuant thereto and all users and appropriators of water of the Colorado River system diverted or delivered through the works constructed under authority of this Act and any enlargements or additions thereto shall observe and be subject to said compacts, statutes, and treaty, as hereinbefore provided, in the diversion, delivery, and use of water of the Colorado River system, and such condition and covenant shall attach as a matter of law whether or not set out or referred to in the instrument evidencing such permit, license, or contract and shall be deemed to be for the benefit of and be available to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming and the users of water therein or thereunder by way of suit, defense, or otherwise in any litigation respecting the waters of the Colorado River system.

(c) No right or claim of right to the use of the waters of the Colorado River system shall be aided or prejudiced by this Act, and Congress does not by its enactment, construe or interpret any provision of the Colorado River compact, the Upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act, or the Mexican Water Treaty or subject the United States to, or approve or disapprove any interpretation of, said compacts, statutes, or treaty, anything in this Act to the contrary notwithstanding.

SEC. 14. In the operation and maintenance of all facilities under the jurisdiction and supervision of the Secretary of the Interior authorized by this Act, the Secretary is directed to comply with the applicable provisions of the Colorado River compact, the Upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act and the treaty with the United Mexican States in the storage and

releases of water from reservoirs in the Colorado River Basin. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section, ⊥and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise.

⊥102

SEC. 15. The Secretary of the Interior is directed to continue his studies of the quality of water of the Colorado River system, to appraise its suitability for municipal, domestic, and industrial use and for irrigation in the various areas in the United States in which it is used or proposed to be used, to estimate the effect of additional developments involving its storage and use (whether heretofore authorized or contemplated for authorization) on the remaining water available for use in United States, to study all possible means of improving the quality of such water and of alleviating the ill effects of water of poor quality, and to report the results of his studies and estimates to the Eighty-seventh Congress and every two years thereafter.

Report to Congress

SEC. 16. (a) The diversion of water for either or both of the projects authorized in this Act shall in no way impair or diminish the obligation of the "States of the upper division" as provided in article III(d) of the Colorado River compact "not to cause the flow of the river at Lee Ferry to be depleted below an aggregate of seventy-five million acre-feet for any period of ten consecutive years reckoned in continuing progressive series beginning with the first day of October next succeeding the ratification of this compact".

(b) The diversion of water for either or both of the projects authorized in this Act shall in now way impair or diminish the obligation of the "States of the upper division" to meet their share of the Mexican Treaty burden as provided in article III(c) of the Colorado River compact.

70 Stat. 110.
43 U. S. C. 620k.

SEC. 17. Section 12 of the Act of April 11, 1956, shall not appy to the works authorized by this Act except as otherwise provided by section 10 of this Act.

70 Stat. 105.
43 U. S. C. 620–620o.

SEC. 18. The Act of April 11, 1956, as amended, is hereby further amended as follows: (i) In Section 1, subsection (2), after the words "Central Utah (initial phase)" delete the colon and insert in lieu thereof a comma and the words "San Juan-Chama (initial stage)," and after the word "Lyman" insert the words "Navajo Indian,"; (ii) in section 2 delete the words "San Juan-Chama, Navajo," from the first sentence; (iii) in section 5, subsection (e), in the phrase "herein or hereinafter authorized" delete the word "hereinafter" and insert in lieu thereof the word "hereafter";(iv) in section 7 in the phrase "and any contract lawfully entered unto under said compacts and Acts" delete the word "unto" and insert in lieu thereof the word "into".

Approved, June 13, 1962, 11:15 a.m.

Public Law 87–503

June 27, 1962
[S. 2893]

AN ACT

76 Stat. 112

To declare that certain land of the United States is held by the United States in trust for the Prairie Band of Potawatomi Indians in Kansas.

Indians
Potawatomi Tribe, lands

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to the following described land, and improvements thereon, are hereby declared to be held by the United States in trust for the Prairie Band of Potawatomi Indians in Kansas: Southeast quarter southeast quarter northeast quarter section 21, township 8 south, range 15 east, sixth principal meridian, Kansas, containing 10 acres, more or less.

Approved, June 27, 1962.

PUBLIC LAW 87-516

AN ACT

July 2, 1962
[H. R. 3444]
76 Stat. 128

To approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with the provisions of the Act of June 22, 1936 (49 Stat. 1803, 25 U.S.C. 389–389e), the order of the Secretary of the Interior canceling $36,439.70 of delinquent irrigation charges, plus accrued interest thereon, and providing for the deferred payment of $8,706.27, as shown on schedules A, B, and C, which are referred to in such order, is hereby approved: *Provided*, That the cancellation of $2,093.14 under schedule B shall not become effective until the landowners have executed contracts as provided in the Act of June 22, 1936, agreeing to pay the balance of such delinquent charges amounting to $1,556.40.

Wind River Indian irrigation project, Wyo.

Approved, July 2, 1962.

PUBLIC LAW 87-519

AN ACT

July 2, 1962
[H.R. 11057]
76 Stat. 132

To declare that the United States holds certain lands on the Eastern Cherokee Reservation in trust for the Eastern Band of Cherokee Indians of North Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the following lands and improvements thereon, which are a part of the Long Blanket tracts, situated within the Eastern Cherokee Reservation, formerly acquired for school purposes, is hereby declared to be held by the United States of America in trust for the Eastern Band of Cherokee Indians of North Carolina:

Eastern Band of Cherokee Indian, N. C. Trust lands.

PARCEL NO. 1

Starting at a concrete monument with brass cap marked school tract corner 5, 1950;

thence north 45 degrees 00 minutes west 542.8 feet to a concrete monument with brass cap marked school tract corner numbered 4, 1950, beside a large mountain oak tree; thence north 26 degrees 20 minutes east 314.1 feet to a point; thence south 77 degrees 51 minutes east 127.4 feet up a ridge to a point;

thence continuing along the ridge south 83 degrees 10 minutes east 67.3 feet to a point; thence continuing along the ridge south 70 degrees 40 minutes east 85.1 feet to a point; thence south 41 degrees 40 minutes east 245.0 feet to a point; thence down the ridge south 19 degrees 40 minutes east 83.3 feet, to a point;

thence south 9 degrees 20 minutes west, 351.4 feet, to south side of gravel road right-of-way to a point; thence continuing along the right-of-way of said gravel road south 77 degrees 32 minutes east, 150.5 feet, to a point;

⊥thence south 86 degrees 36 minutes east 166.7 feet to a point; ⊥133
thence south 71 degrees 07 minutes east 69.4 feet to a point of the intersection of two gravel roads; thence continuing along the right-of-way of said road south 33 degrees 48 minutes east 98.9 feet to a point;

thence leaving said road north 75 degrees 35 minutes west 376.1 feet to a point; thence north 74 degrees 45 minutes west 242.6 feet to the point of beginning, containing 12.11 acres, more or less.

PARCEL NO. 2

Starting at a one and one half-inch iron pipe beside a concrete

monument with brass cap marked "T.R. 6, Cor. 1, 1950", and running north 17 degrees 00 minutes east 145.1 feet to the point of beginning on the northeast right-of-way of United States Highways 19 and 441;

thence north 75 degrees 00 minutes west 150.5 feet to the east right-of-way at the intersection of United States Highways 19 and 441; thence continuing along the right-of-way north 12 degrees 45 minutes west 70.6 feet to a point;

thence north 3 degrees 31 minutes east 157.6 feet to a point; thence north 10 degrees 43 minutes east 654.8 feet to a point; thence north 19 degrees 22 minutes east 191.2 feet to a point; thence north 28 degrees 18 minutes 40 seconds east 254.7 feet to a point; thence north 35 degrees 05 minutes east 164.3 feet to a point; thence north 46 degrees 39 minutes 10 seconds east 370.3 feet to a point;

thence leaving the right-of-way and running south 17 degrees 00 minutes west, 1,786.7 feet, to the point of beginning, containing 8.50 acres, more or less.

PARCEL NO. 3

Beginning at a point on the east right-of-way of the agency road, at the end of a culvert that comes under the agency roadway, and running with Small Branch north 75 degrees 22 minutes east 530.4 feet to a point;

thence with said branch south 59 degrees 45 minutes east 81.2 feet to a point on the right-of-way of United States Highway 441; thence along said right-of-way south 12 degrees 50 minutes west 215.4 feet to a point on the intersection of rights-of-way of United States Highways 441 and 19;

thence following the right-of-way of United States Highway 19, north 84 degrees 18 minutes west 529.8 feet to a point at the intersection of the agency road right-of-way; thence following right-of-way of the agency road north 7 degrees 41 minutes west 64.9 feet to the point of beginning; containing 2.1 acres, more or less.

Indian Claims Commission

25 U. S. C. 70a.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

Approved, July 2, 1962.

PUBLIC LAW 87-545

July 25, 1962
[H. R. 11038]

76 Stat. 209

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1962, and for other purposes.

Second Supplemental Appropriation Act, 1962

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1962") for the fiscal year ending June 30, 1962, and for other purposes, namely:

TITLE I

* * *

1213

⊥DEPARTMENT OF THE INTERIOR

* * *

†BUREAU OF INDIAN AFFAIRS †214

RESOURCES MANAGEMENT

For an additional amount for "Resources management", $720,000.

MENOMINEE EDUCATIONAL GRANTS

For grants to the State of Wisconsin or the County or Town of Menominee for school district costs, as authorized by the Act of April 4, 1962 (P.L. 87–432), $220,000.

Ante, p. 53.

* * *

Approved, July 25, 1962.

PUBLIC LAW 87–573

AN ACT

August 6, 1962
[H. R. 10184]
76 Stat. 307

To amend section 130(a) of title 28, United States Code, so as to reconstitute the Eastern Judicial District of Wisconsin to include Menominee County, Wisconsin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 130 of title 28, United States Code, is amended to read as follows:

Wisconsin Eastern Judicial District.
62 Stat. 894

"(a) The Eastern District comprises the counties of Brown, Calument, Dodge, Door, Florence, Fond du Lac, Forest, Green Lake, Kenosha, Kewaunee, Langlade, Manitowoc, Marinette, Marquette, Menominee, Milwaukee, Oconto, Outagamie, Ozaukee, Racine, Shawano, Sheboygan, Walworth, Washington, Waukesha, Waupaca, Waushara, and Winnebago.

"Court for the Eastern District shall be held at Green Bay, Milwaukee, and Oshkosh."

Approved August 6, 1962.

PUBLIC LAW 87–578

AN ACT

August 9, 1962
[H. R. 10802]
76 Stat. 335

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, namely:

Department of the Interior and Related Agencies Appropriation Act, 1963

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

†BUREAU OF INDIAN AFFAIRS †336

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), or care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $81,300,000.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improve-

ment, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts as authorized by law; $34,300,000.

REVOLVING FUND FOR LOANS

For payment to the revolving funds for loans, as authorized by section 10 of the Act of June 18, 1934, as amended (25 U. S. C. 470), $4,000,000.

48 Stat. 986.

1337

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquistion of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; $53,775,000, to remain available until expended: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part is this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations.

Restrictions.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, and the Act of August 23, 1958 (72 Stat. 834), $16,000,000, to remain available until expended.

25 U. S. C. 631 and note.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $4,000,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed two hundred and twenty passenger motor vehicles (including fifty for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year), of which two hundred shall be for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), the Act of August 3, 1956 (70 Stat. 986), and legislation terminating Federal supervision over certain Indian tribes; purchase of ice for official use of employees; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458.
25 U. S. C. 309, 309a.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which

shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, ⊥1930 (46 Stat. 391), including cash grants; and employment ⊥338
of a curator for the Osage Museum, who shall be appointed with the approval of the Osage Tribal Council and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary, except that tribal funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims shall not be further appropriated until a report of the purposes for which the funds are to be used has been submitted to the Senate and House Committees on Interior and Insular Affairs and those purposes either have been approved by resolution of each of said committees or have not been disapproved by resolution of either of said committees within sixty calendar days from the date the report is submitted, not counting days on which either House is not in sesssion because of an adjournment of more than three calendar days to a day certain: *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation, except as provided for by the Act of July 24, 1956 (70 Stat. 627).

Report to congressional committees.

Restriction.

* * *

⊥OFFICE OF THE SOLICITOR ⊥345

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $3,675,000, and in addition, not to exceed $130,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided*, That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedure Act (60 Stat. 237), as amended.

5 U. S. C. 1001 note.

* * *

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥349
PUBLIC HEALTH SERVICE

INDIAN HEALTH ACTIVITIES

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (68 Stat. 674), as amended; purchase of not to exceed twenty-six passenger motor vehicles, of which nineteen shall be for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 301 (with respect to research conducted at facilities financed by this appropriation), 321, 322 (d), 324, and 509 of the Public Health Service Act; $55,834,000.

42 U. S. C. 2001 / 284

58 Stat. 691

42 U. S. C. 241, 248, 249, 251, 227.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U. S. C. 2004a); $9,335,000, to remain available until expended.

73 Stat. 267

* * *

INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $290,000, of which not to exceed $10,000 shall be available for expenses of travel.

* * *

Approved, August 9, 1962.

PUBLIC LAW 87-609

AN ACT

August 24, 1962
[H. R. 12355]
76 Stat. 405

To amend the law relating to the final disposition of the property of the Choctaw Tribe.

Indians.
Choctaw Tribe.
Property disposition.
25 U. S. C. 355 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 25, 1959 (73 Stat. 420), is amended as follows: The words "three years", which appear twice in section 1 (a), once in section 1 (d), once in section 11, once in section 12 (a), and once in section 12 (b), are changed to "six years".

SEC. 2. Section 12 (c) of such Act is amended by changing the period to a comma and adding "and for a period of three years after such legal entity is organized it shall have the same immunity from the defense of laches or a statute of limitations that the Choctaw Tribe had prior to such time."

Approved, August 24, 1962.

PUBLIC LAW 87-627

AN ACT

September 5, 1962
[S. 1208]
76 Stat. 428

To amend Public Law 86-506, Eighty-sixth Congress (74 Stat. 199), approved June 11, 1960.

Indians.
Colorado River Reservation, Ariz. Calif.

Be it enacted by the Senate and House of Rrepresentatives of the United States of America in Congress assembled, That Public Law 86-506, Eighty-sixth Congress (74 Stat. 199), approved June 11, 1960, is hereby amended to read as follows:

"Until a determination has been made of beneficial ownership of the lands on the Colorado River Reservation, Arizona and California, that were set apart by the United States for the Indians of the Colorado River and its tributaries, the Secretary of the Interior is authorized to

Leasing of lands.

lease any unassigned lands on the reservation and to approve leases made by the holders and assignments heretofore made, for such uses and terms as are authorized by the Act of May 11, 1938 (52 Stat. 347; 25 U. S. C. 396a et seq.), and the Act of August 9, 1955 (69 Stat. 539), as amended (25 U. S. C. 415 et seq.), including the same uses and terms as are permitted thereby on the Agua Caliente (Palm Springs), Dania, and Navajo Reservations: *Provided, however,* That the authorization herein granted to the Secretary of the Interior shall not extend to any lands lying west of the present course of the Colorado River and south

of section 25 of township 2 south, range 23 east, San Bernardino base and meridian, California, and shall not be construed to affect the resolution of any controversy over the location of the boundary of the Colorado River Reservation. Income received from any leases of unassigned lands may be expended or advanced by the Secretary for the benefit of the Colorado River Indian tribes and their members. Income received from any leases of assigned lands may be expended or advanced by the Secretary for the benefit of the assignee."

Approved, September 5, 1962.

PUBLIC LAW 87-629

AN ACT

September 5, 1962
[S. 3174]

76 Stat. 429

To provide for the division of the tribal assets of the Ponca Tribe of Native Americans of Nebraska among the members of the tribe, and for other purposes.

Indians.
Ponca Tribe.
Division of tribal assets.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall, with the advice and assistance of the Ponca Tribe of Native Americans of Nebraska and pursuant to such regulations as he may prescribe, prepare a roll of the members of the tribe and record thereon persons whose names appeared on the census roll of April 1, 1934, and the supplement thereto of January 1, 1935, and their descendants of not less than one-quarter degree Indian blood of the Ponca Tribe, regardless of place of residence, who are living on the date of this Act. He shall provide a reasonable opportunity for any person to protest against the inclusion or omission of any name on or from the roll and his decision on such protests shall be final and conclusive. After all protests are disposed of, the roll shall be published in the Federal Register. The Secretary shall thereupon give the adult members of the tribe whose names appear on the roll an opportunity to indicate their agreement or disagreement with a division of tribal assets in accordance with the provisions of this Act. If a majority of those indicating agreement or disagreement are favorable to such division, the Secretary shall publish in the Federal Register a notice of the fact and the roll prepared by him shall thereupon become final and the following sections of this Act shall become effective.

Publication in F. R.

SEC. 2. Each member whose name appears on the final roll of the tribe as published in the Federal Register shall be entitled to receive in accordance with the provisions of this Act an equal share of the tribe's assets that are held in trust by the United States. This right shall constitute personal property which may be inherited or bequeathed, but it shall not otherwise be subject to alienation or encumbrance.

Distribution of assets.

SEC. 3. (a) All property of the United States used for the benefit of the Ponca Tribe of Native Americans of Nebraska is hereby declared to be a part of the assets of the tribe, and all of the tribe's assets shall be distributed in accordance with the provisions of this section. The distribution shall be completed within three years from the date of this Act, or as soon thereafter as practicable.

(b) The tribe shall designate any part of the tribe's property that is to be set aside for church, park, playground, or cemetery purposes, and the Secretary is authorized to convey such property to trustees or agencies designated by the tribe for that purpose and approved by the Secretary.

(c) Each member may select for homesite purposes and receive title to not to exceed five acres of tribal land that is being used for homesite purposes by such member. The member shall pay the current market value of the homesite selection excluding any improvements or repairs constructed by such member, his wife, children, or ancestor, as determined by the Secretary of the Interior.

(d) All assets of the tribe that are not selected and conveyed to

members shall be sold by competitive bid at not less than the current market value, and any member shall have the right to purchase property offered for sale for a price not less than the highest acceptable bid therefor. If more than one member exercises such right, the property shall be sold to the member exercising the right who offers the highest price.

1430 ⊥(e) The net proceeds of all sales of tribal property, and all other tribal funds, shall be used to pay, as authorized by the Secretary, any debts of the tribe. The remainder of such proceeds and funds shall be divided equally among the members whose names are on the final roll, or other heirs or legatees. Any debt owed by a member, heir, or legattee to the tribe or to the United States may be set off as authorized by the Secretary against the distributive share of such person. Any member of the tribe who purchases tribal property in accordance with this section may apply on the purchase price his share of the proceeds of all sales of tribal property, and the Secretary of the Interior shall adopt sales procedures that permit such action.

Sale of lands. SEC. 4. (a) The Secretary of the Interior is authorized to partition or to sell the complete interest (including any unrestricted interest) in any land in which an undivided interest is owned by a member of the Ponca Tribe of Native Americans of Nebraska in a trust or restricted Status, provided the partition or sale is requested by the owners of a 25 per centum interest in the land, and the partition or sale is made within three years from the date of this Act. Any such sale shall be by competitive bid, except that with the concurrence of the owners of a 25 per centum interest in the land any owner of an interest in the land shall have the right to purchase the land within a reasonable time fixed by the Secretary of the Interior prior to a competitive sale at not less than its current market value. If more than one preference right is exercised, the sale shall be by competitive bid limited to the persons entitled to a preference. If the owners of a 25 per centum interest in the land so request, mineral rights may be reserved to the owners in an unrestricted status. The Secretary of the Interior may represent for the purposes of this section any Indian owner who is a minor, or who is non compos mentis, and, after giving reasonable notice of the proposed partition or sale by publication, he may represent an Indian owner who cannot be located.

(b) All restrictions on the alienation or taxation of interests in land that are owned by members of the Ponca Tribe of Native Americans of Nebraska three years after the date of this Act shall be deemed removed by operation of law, and an unrestricted title shall be vested in each such member.

Surveys. SEC. 5. The Secretary of the Interior is authorized to make such land surveys and to execute such conveyancing instruments as he deems necessary to convey marketable and recordable title to the individual and tribal assets disposed of pursuant to this Act. Each grantee shall receive an unrestricted title to the property conveyed.

Claims. SEC. 6. Nothing in this Act shall affect any claims heretofore filed against the United States by the Ponca Tribe of Native Americans of Nebraska.

SEC. 7. Nothing in this Act shall affect the rights, privileges, or Taxation obligations of the tribe and its members under the laws of Nebraska.

SEC. 8. No property distributed under the provisions of this Act shall at the time of distribution be subject to any Federal or State income tax. Following any distribution of property made under the provisions of this Act, such property and income derived therefrom by the distributee shall be subject to the same taxes, State and Federal as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the grantee.

Expenses. SEC. 9. Such amounts of tribal funds as may be needed to meet the

expenses of the tribe under this Act, as approved by the Secretary of the Interior, shall be available for expenditure. There is authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated such sums as may be necessary to reimburse the tribe for ⊥such expenditures, and carry out the responsibilities of the Secretary under the provisions of this Act. ⊥431

SEC. 10. When the distribution of tribal assets in accordance with the provisions of this Act has been completed, the Secretary of the Interior shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to such tribe and its members has terminated. Thereafter, the tribe and its members shall not be entitled to any of the special services performed by the United States for Indians or Indian tribes because of their Indian status, all statutes of the United States that affect Indians or Indian tribes because of their Indian status shall be inapplicable to them, and the laws of the several States shall apply to them in the same manner they apply to other persons or citizens within their jurisdiction. Nothing in this Act, however, shall affect the status of any Indian as a citizen of the United States. Publication in F. R

Approved, September 5, 1962.

PUBLIC LAW 87-687

AN ACT

September 25, 1962
[S. 2696]
76 Stat. 585

To correct certain land descriptions in the Act entitled "An Act to declare that the United States holds in trust for the pueblos of Santa Ana, Zia, Jemez, San Felipe, Santo Domingo, Cochiti, Isleta, and San Ildefonso certain public domain lands."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act entitled "An Act to declare that the United States holds in trust for the pueblos of Santa Ana, Zia, Jemez, San Felipe, Santo Domingo, Cochiti, Isleta, and San Ildefonso certain public domain lands", approved September 14, 1961 (75 Stat. 500), is amended by striking out— Indian pueblos, N Mex
Land descriptions, correction.
75 Stat. 504

"Township 8 north, range 2 east:

"Section 4, lots 1, 2, 3, 4, 13, 14, 15, and 16, south half north half;

"Section 6, lots 1, 2, 12, 13, 14, and 15, northeast quarter east half northwest quarter."

and inserting in lieu thereof

"Township 8 north, range 1 east:

"Section 4, lots 1, 2, 3, 4, 13, 14, 15, and 16, south half north half;

"Section 6, lots 1, 2, 12, 13, 14, and 15, northeast quarter, east half northwest quarter."

Approved, September 25, 1962.

PUBLIC LAW 87-689

AN ACT

September 25, 1962
[H. R. 9280]
76 Stat. 587

To amend section 2 of the Act of July 31, 1947 (61 Stat. 681), and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of July 31, 1947 (61 Stat. 681; 30 U. S. C. 602), is hereby amended to read as follows: Materials on public lands
Sale

⊥"SEC. 2. (a) The Secretary shall dispose of materials under this Act to the highest responsible qualified bidder after formal advertising and such other public notice as he deems appropriate: *Provided, however,* That the Secretary may authorize negotiation of a contract for the disposal of materials if— ⊥588

"(1) the contract is for the sale of less than two hundred fifty thousand board-feet of timber; or, if

"(2) the contract is for the disposal of materials to be used in connection with a public works improvement program on behalf

of a Federal, State, or local governmental agency and the public exigency will not permit the delay incident to advertising; or, if

"(3) the contract is for the disposal of property for which it is impracticable to obtain competition.

Report to Congress

"(b) A report shall be made to Congress on January 1 and July 1 of each year of the contracts made under clauses (2) and (3) of subsection (a) during the period since the date of the last report. The report shall—

"(1) name each purchaser;

"(2) furnish the appraised value of the material involved;

"(3) state the amount of each contract;

"(4) describe the circumstances leading to the determination that the contract should be entered into by negotiation instead of competitive bidding after formal advertising."

Repeal.

SEC. 2. The Act of March 4, 1913 (37 Stat. 1015), as amended by the Act of July 3, 1926 (44 Stat. 896; 16 U. S. C. 614–615), is hereby repealed. Rights and liabilities existing under that Act on the date of the enactment of this Act shall not be affected thereby.

Approved, September 25, 1962.

PUBLIC LAW 87–695

AN ACT

September 25, 1962
[S. 1161]

To provide for the use of lands in the Garrison Dam project by the Three Affiliated Tribes of the Fort Berthold Reservation.

76 Stat. 594

Indians.
Grazing privileges, Garrison Dam project, N. Dak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Subject to the right of the United States to occupy, use, and control the lands acquired by the United States within the Fort Berthold Reservation for the construction, operation, and maintenance of the Garrison Dam and Reservoir project pursuant to the Flood Control Act of 1944, approved December 22, 1944, and amendatory laws, as determined necessary by the Secretary of the Army adequately to serve said purposes, the Three Affiliated Tribes of the Fort Berthold Reservation shall be permitted to graze stock without charge on such former Indian land as the Secretary of the Army determines is not devoted to other beneficial uses, and to lease such land for grazing purposes to members or non-members of the tribes on such terms and conditions as the Secretary of the Interior may prescribe. The foregoing grant of grazing privileges shall be subject to rights under existing grazing leases and permits.

58 Stat. 887
33 U. S. C. 701–1 *et seq.*

Approved, September 25, 1962.

PUBLIC LAW 87–696

AN ACT

September 25, 1962
[S. 2971]

To declare that certain lands of the United States are held by the United States in trust for the Jicarilla Apache Tribe of the Jicarilla Reservation.

76 Stat. 595

Indians.
Jicarilla Apache Tribe, N. Mex.
Trust lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to the following described lands, containing 7.00 acres, more or less, situated within the Jicarilla Apache Indian Reservation in the State of New Mexico, are hereby declared to be held by the United States in trust for the Jicarilla Apache Tribe of the Jicarilla Reservation, New Mexico, subject to a reservation of the right of the United States to use so much of such lands, together with all facilities now thereon or hereafter installed by the United States, as shall in the opinion of the Secretary of the Interior be needed for the administration of the affairs of the tribe, and subject to a reservation in the United States of a right-of-way across any part of such lands which the Secretary of the Interior

deems desirable in connection with the administration of the affairs of the tribe:

Township 30 north, range 1 west, New Mexico principal meridian (surveyed): Beginning at corner numbered 1 from which the southwest corner of section 15, township 30 north, range 1 west, New Mexico principal meridian, Rio Arriba County (surveyed), bears due south a distance of 11.142 chains and due west a distance of 15.651 chains; thence from corner numbered 1 due north a distance of 7.071 chains to corner numbered 2; thence due east a distance of 7.071 chains to corner numbered 3; thence due south a distance of 7.071 chains to corner numbered 4; thence due west a distance of 7.071 chains to the point of beginning, containing 5 acres, more or less.

Township 31 north, range 2 west, New Mexico principal meridian (surveyed): Beginning at corner numbered 1 from which the southwest corner of section 29, township 31 north, range 2 west, New Mexico principal meridian, Rio Arriba County (surveyed), bears due south a distance of 21.471 chains and due west a distance of 23.138 chains; thence from corner numbered 1 due west a distance of 3.162 chains to corner numbered 2; thence due north a distance of 3.162 chains to corner numbered 3; thence due east a distance of 3.162 chains to corner numbered 4; thence due south a distance of 3.162 chains to the point of beginning, containing 1 acre, more or less.

Also beginning at corner numbered 1 from which the southwest corner of section 29, township 31 north, range 2 west, New Mexico principal meridian, Rio Arriba County (surveyed), bears due south a distance of 26.043 chains and due west a distance of 23.138 chains; thence from corner numbered 1 due north a distance of 3.162 chains to corner numbered 2; thence due east a distance of 3.162 chains to corner numbered 3; thence due south a distance of 3.162 chains to corner numbered 4; thence due west a distance of 3.162 chains to the point of beginning, containing 1 acre, more or less.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. 25 U. S. C. 70a.

Approved, September 25, 1962.

PUBLIC LAW 87-698

AN ACT

September 25, 1962
[S. 1924]
76 Stat. 597

To amend the Act of August 27, 1954 (68 Stat. 868) with respect to the Uintah and Ouray Reservation in Utah.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the Act of August 27, 1954 (68 Stat. 868) is amended by adding at the end thereof the following:

Indians.
Uintah and Ouray Reservation, Utah.
Stock.
25 U. S. C. 677i.
68 Stat. 868.

"The stock of any corporation organized by the mixed-blood group for the purpose of empowering the officers of such corporation to act as the authorized representatives of said mixed-blood group in the joint management with the tribe and in the distribution and unadjudicated or unliquidated claims against the United States, all gas, oil, and mineral rights of every kind, and all other assets not susceptible to equitable and practicable distribution shall not be subject to mortgage, pledge, hypothecation, levy, execution, attachment or other similar process, while such stock remains in the ownership of the original stockholder or his heirs or legatees, but the interest of stockholders in any distribution by such corporation shall be subject to holders in any distribution by such corporation shall be subject to the usual processes of the law."

Approved, September 25, 1962.

October 3, 1962
[H. R. 5144]
76 Stat. 698

PUBLIC LAW 87-734

AN ACT

To provide for the acquisition of and the payment for individual Indian and tribal lands of the Lower Brule Sioux Reservation in South Dakota, required by the United States for the Big Bend Dam and Reservoir project on the Missouri River, and for the rehabilitation, social, and economic development of the members of the tribe, and for other purposes.

Lower Brule Sioux Reservation, S. Dak.
Land acquisition for Big Bend Dam and Reservoir project.
33 U. S. C. 701 l note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the Big Bend Dam and Reservoir project authorized by the Flood Control Act of December 22, 1944 (58 Stat. 887, 891)—

(a) The entire interest, including gravel but excluding the interest in oil, gas, and all other minerals of any nature whatsoever, in approximately 14,299.03 acres of land within the taking area described in this Act in the Lower Brule Sioux Reservation in South Dakota, in which the Lower Brule Sioux Tribe or individual Indians have a trust or restricted interest, and any interest the tribe or Indians may have within the bed of the Missouri River so far as it is within the boundaries of the reservation are hereby taken by the United States for the Big Bend Dam and Reservoir project on the Missouri River, and in consideration thereof and for trust or restricted lands heretofore acquired by the United States in condemnation proceedings for the Big Bend project the United States will pay to the tribe and the individual Indian owners, out of funds available for the Big Bend Dam and Reservoir project—

(1) a sum aggregating $825,000, to be disbursed in accordance with the provisions of schedules prepared pursuant to section 2(b) of this Act; and

(2) the amount of $400,715, which shall be in settlement of all claims, rights, and demands of the tribe and individual Indians arising out of the taking under this Act, to be disbursed in accordance with the provisions of section 2 hereof.

(b) Upon a determination by the Secretary of the Army, within two years from the date of enactment of this Act, filed among the appropriate land records of the Department of the Interior, that any of the lands described in this Act are not required for Big Bend project purposes, title to such land shall be revested in the former owner.

Compensation.

SEC. 2. (a) The payments authorized by section 1 of this Act, less the amounts heretofore deposited by the United States in the case entitled United states of America, Plaintiff against 867.50 acres of land, etc., and Crow Creek Tribe of Sioux Indians et al., Defendants, civil numbered 335, filed in the United States District Court for the District of South Dakota, for trust property acquired in the taking area described in the Act, shall be deposited to the credit of the tribe in the Treasury of the United States and shall draw interest on the principal at the rate of 4 per centum per annum until expended.

Schedules.

(b) The amount paid pursuant to section 1 (a) (1) of this Act shall be allocated in accordance with Indian ownership schedules prepared by the Secretary of the Interior, after consultation with the Lower Brule Tribal Council to correct known errors and to insure fair and equitable allocation. These schedules shall reflect the amount agreed upon by the Secretary of the Army and the Secretary of the Interior as the basis for negotiation, after appropriate acreage adjustments, increased by a uniform percentage to equal the amount paid. The amounts allocated for payment of property owned by individual

Indians shall be credited to their respective individual Indian money
[accounts. No part of the compensation provided for in section 1 shall [1699
be subject to any lien, debt, or claim of any nature whatsoever against the tribe or the individual Indian owners entitled to the compensation, except delinquent debts owed to the United states by the tribe, or delinquent debts owed to the tribe or to the United States by the individual Indians entitled to the compensation: *Provided*, That such compensation shall not be applied to the payment of such individual delinquent debts unless the Secretary of the Interior first determines and certifies that no hardship will result from the payment of such delinquent debts.

(c) The tribal council, with the approval of the Secretary of the Interior, shall make available from the funds authorized by section 1 (a) (2) of this Act not to exceed $247,325, to pay the expenses, costs, losses, and damages incurred by members of the tribe as a direct result of moving themselves and their possessions, including dwellings and other buildings owned by the individual members, on account of the acquisition referred to in section 1 of this Act. The balance of the amount paid pursuant to section 1 (a) (2) shall be consolidated with the appropriation authorized by section 3 of this Act and shall be expended in accordance with the provisions of section 3.

Economic and social conditions, improvement

SEC. 3. There is authorized to be appropriated the additional sum of $1,968,750 which shall be deposited in the Treasury of the United States to the credit of the tribe and which shall draw interest on the principal at the rate of 4 per centum per annum until expended, for the purposes of developing individual and family plans, relocating, reestablishing, and providing other assistance designed to improve the economic and social conditions of enrolled members of the tribe on the date of enactment of this Act. The funds authorized by this section shall be expended in accordance with plans and programs approved by both the tribal council and the Secretary of the Interior: *Provided*, That $400,000 shall be allocated exclusively for industrial development on the reservation or within fifty miles of any exterior boundary of the reservation with preferential right of employment for members of the tribe. Nothing in this Act shall be construed to prevent cooperative action with the Crow Creek Sioux Tribe on industrial development or other programs: *And provided further*, That no part of such funds shall be used for per capita payments, or for the purchase of land by the tribe except for the purpose of resale to individual Indians in furtherance of the rehabilitation program authorized by this section, which resale is hereby authorized.

Indian cemeteries, etc., relocation

SEC. 4. The Secretary of the Army, out of funds appropriated for the Big Bend project other than funds provided by this Act, is authorized and directed to relocate and reestablish such Indian cemeteries, tribal monuments, and shrines within the taking area of the Big Bend project as the tribal council, with the approval of the Secretary of the Interior, shall select and designate: *Provided*, That reinterment of individual remains, but not entire cemeteries, outside the reservation boundaries is authorized if desired by the next of kin and approved by the tribal council, but in no event will reinterment be made to a site which exceeds the equivalent distance from the disinterment site to the farthest point at which reinterment could be made within the reservation boundaries.

Government and agency facilities

SEC. 5. The Secretary of the Army is authorized and directed out of funds appropriated for the Big Bend project other than funds provided by this Act to protect, replace, relocate, or reconstruct any existing essential governmental and agency facilities on the reservation, including schools, hospitals, Public Health Service and Bureau of Indian Affairs offices, facilities, service buildings, and employees' quarters, roads, bridges, and incidental matters or facilities in con-
[nection therewith, which the Secretary of the Interior determines [1700

will be impaired or required by reason of the Big Bend project: *Provided, however,* That the design criteria employed shall be reasonably comparable to that of the presently existing roads, bridges, and facilities.

New town, construction

SEC. 6. The Secretary of the Army, under plans approved by the Secretary of the Interior after consultation with the Lower Brule Tribal Council, is authorized and directed, out of funds appropriated for the Big Bend project other than funds provided by this Act, to locate, lay out, and construct on tribal land on a site provided by the Lower Brule Sioux Council with the approval of the Secretary of the Interior a townsite for the new town of Lower Brule, including substitute and replacement streets, utilities, including water, sewerage, and electricity, taking into account the relocation and replacement of the governmental and agency facilities as provided for in section 5 of this Act and the reasonable future growth of the new town: *Provided, however,* That the design criteria employed shall be reasonably comparable to that of the existing town streets, utilities, and facilities. The tribal council is authorized, with the approval of the Secretary of the Interior (a) to convey, with or without compensation, tribal land, exclusive of minerals, for church or cemetery purposes for so long as the land is used for such purposes, and (b) to sell unimproved lots, exclusive of minerals, in the relocated town of Lower Brule at competitive sale to the highest qualified bidder but for not less than the appraised value, pursuant to such terms and conditions as the Secretary of the Interior may prescribe.

Mineral reservation

SEC. 7. All minerals of any kind whatsoever, including oil and gas, but excluding gravel, in the lands taken by this Act are hereby reserved for the benefit of the tribe or individual Indian owners as their interests may appear. All right, title, and interest of the United States in such minerals in trust or restricted land heretofore acquired by the United States for the Big Bend project are hereby revested in the former owners. All such minerals in trust or restricted land hereafter acquired by the United States for the Big Bend project shall be reserved for the benefit of the owners as their interests may appear. Nothwithstanding the foregoing provisions of this section the exploration and development of such minerals, including oil and gas, within the taking area shall be subject to all reasonable regulations of the Secretary of the Army necessary for the protection of the Big Bend project.

Vacating, effective date

SEC. 8. Members of the Lower Brule Sioux Tribe now residing within the taking area of the Big Bend project shall have the right without charge to remain on and use the lands taken by this Act until required to vacate to such times as may be fixed by the Secretary of the Army, with the approval of the Secretary of the Interior: *Provided,* That the time for vacating in any event will not extend beyond July 1, 1963.

Timber, etc.

SEC. 9. Individual Indians and the tribe are authorized without charge to retain timber and improvements removed by them from their respective trust or restricted lands on the reservation acquired by this Act and heretofore acquired by the United States for the Big Bend project. Up to sixty days before the individual Indian landowners and the tribe are required to vacate the taking area in accordance with this Act, they shall have the right, without charge, to cut and remove all timber and to salvage any improvements on their respective lands, but, if such rights are not exercised or are waived within the time prescribed, the tribe, through its tribal council, may exercise such rights: *Provided,* That the timber cut and the salvage permitted by this section shall not be construed to be compensation.

⊥1701

Grazing privileges

⊥SEC. 10. Subject to the right of the United States to occupy, use, and control trust and restricted lands acquired by this Act and heretofore acquired in condemnation action civil numbered 335 for the

construction, operation, and maintenance of the Big Bend Dam and Reservoir project pursuant to the Flood Control Act of 1944, approved December 22, 1944, and amendatory laws, as determined necessary by the Secretary of the Army adequately to serve said purposes, the Lower Brule Sioux Tribe shall be permitted, after the Big Bend Dam gates are closed and the waters of the Missouri River impounded, to graze stock without charge on such of the land described in this section as lies between the level of the reservoir and the taking line described in section 16 of this Act and as the Secretary of the Army determines is not devoted to other beneficial uses and to lease such land for grazing purposes to members or nonmembers of the tribe on such terms and conditions as the Secretary of the Interior may prescribe. The tribe and members thereof shall have without cost the right of free access to the shoreline of the reservoir including the right to hunt and fish in and on the aforesaid shoreline and reservoir, subject, however, to regulations governing the corresponding use by other citizens of the United States.

33 U.S.C. 701-1 *et seq.*

Hunting and fishing rights.

SEC. 11. Notwithstanding any other provision of law, for the purposes of (1) providing substitute land for individual Indians who owned land within the taking area of the Fort Randall or Big Bend projects, (2) consolidating landholdings, and (3) eliminating fractionated heirship interests within the reservation, the Secretary of the Interior is authorized to purchase, with funds made available by such individual Indians or by the tribe, land or interests in land, and to sell tribal land upon request of the tribe, but no service charge shall be made by the United States. The land selected by and purchased for individual Indians may be either inside or outside the boundaries of the reservation. Title to any land or interests in land acquired within the boundaries of the reservation shall be taken in the name of the United States in trust for the tribe or the individual Indian for whom the land is acquired, and title to any land or interests in land acquired outside the boundaries of the reservation shall be taken in the name of the individual for whom it is acquired: *Provided*, That title to lands outside the exterior boundaries of the reservation acquired by the tribe shall be taken in the name of the tribe subject to a restriction against alienation without the consent of the Secretary of the Interior, but shall not be exempt from taxation.

Purchase and sale of land

For the purposes of this section, the Secretary of the Interior is authorized to partition or sell individual owned lands in which all interests are held in trust or restricted status (1) upon the request of the owners of not less than a 25 per centum interest in such land where ten persons or more own or claim interests in the land, or (2) upon the request of the owners of not less than a 50 per centum interest in such land where fewer than ten persons own or claim interests in the land. For the purpose of this section, the Secretary of the Interior may represent any Indian owner who is a minor or who is under any other legal disability, and the Secretary, after first giving reasonable notice by publication of the proposed sale, is authorized to represent any Indian owner or claimant who cannot be located after reasonable and diligent search. Sales of all Indian trust or restricted interests in land shall be in accordance with the following procedure:

Partition or sale of individually owned lands.

(a) Upon receipt of requests from the required ownership interests, the Secretary shall notify the tribe and each owner of an undivided Indian interest in the land by a letter directed to his last known address that each such owner and the tribe has a right to purchase the land for its appraised value, unless one of the owners objects within ⊥the time fixed by the Secretary, or for a lower price if all of the owners agree, and that if more than one owner or if one owner and the tribe wants to purchase the land it will be sold on the basis of sealed competitive bids restricted to the owners of undivided interests in the land and the tribe.

Procedure

⊥1702

(b) If no Indian owner of an undivided interest in the land elects to purchase the land within the time fixed by the Secretary, and the tribe owns no interest in the land, the Secretary shall offer to sell the land at its appraised value to the tribe, unless one of the Indian owners or his authorized representative objects within the time fixed by the Secretary to a sale to the tribe at the appraised value.

(c) If any Indian owner or his authorized representative objects to a sale to the tribe at the appraised value, the Secretary shall offer the land for sale by sealed competitive bid with a preferential right in the tribe or any Indian owner to meet the high bid, unless one of the Indian owners or his authorized representative objects within the time fixed by the Secretary to the grant of such preferential right. All bids shall be rejected if no bid substantially equal to the appraised value is received.

(d) If any Indian owner or his authorized representative objects to a sale by sealed competitive bid with a preferential right to meet the high bid, the Secretary shall offer the land for sale by sealed bids without such preferential right: *Provided*, That, if at any time before sealed bids are invited the tribe or one of the Indian owners asks that the land be sold at auction, then after notice to all interested parties, including the tribe, the land shall be sold at auction immediately after the opening of the sealed bids and auction bidding shall be limited to the Indian owners, the tribe, and persons who submitted sealed bids in amounts not less than 75 per centum of the appraised value of the land. The highest sealed bid shall be considered the opening auction bid. No sale shall be made unless the price is equal to the highest sealed bid and substantially equal to the appraised value.

Sale at auction

(e) The Secretary may, when he deems it in the best interests of the Indian owners, obtain a power of attorney from the owner of a non-Indian interest in the land to be sold authorizing the Secretary to sell and convey the interest of the non-Indian owner in accordance with any part of the procedure provided in this section.

Power of attorney

SEC. 12. The Secretary of the Treasury, upon certification by the Secretary of the Interior, shall reimburse the tribe for fees and expenses incurred in connection with the taking of Indian lands within the reservation for the Big Bend project: *Provided*, That such reimbursable fees and expenses shall not exceed in the aggregate, $75,000: *Provided further*, That attorney fees shall be paid under the terms of a contract approved by the Secretary of the Interior.

Fees and expenses.

SEC. 13. (a) Any individual Indian who has been duly tendered payment in accordance with the schedules prepared pursuant to section 2 (b) of this Act, shall have the right to reject the sum tendered by filing a notice of rejection with the Chief of Engineers, United States Army, Washington, District of Columbia, or with the superintendent of the Pierre Indian Agency, Pierre, South Dakota, within one year from the date of enactment of this Act or within ninety days after the tender is made, whichever date is later. For the purpose of this section, the Secretary of the Interior and the tribe are authorized to represent any Indian entitled to payment who is a minor, or under any other legal disability, or who cannot be located after a reasonable and diligent search, and any person who is an undetermined heir or devisee of a deceased Indian.

Notice of rejection.

(b) If the land of any Indian rejecting payment is included in condemnation proceedings heretofore instituted, the court in those proceedings shall proceed to determine the just compensation to which ⊥the individual is entitled and, if the land is not included in such condemnation proceedings, jurisdiction is hereby conferred upon the United States District Court for the District of South Dakota to determine just compensation in accordance with procedures applicable to the determination of just compensation in condemnation proceedings. No court or statutory costs, but all other costs and expenses,

District court, jurisdiction

⊥703

including attorney's fees, shall be at the contesting individual's expense. Suit may be brought on behalf of any individual rejecting payment within one year after the date of the rejection. If a notice of rejection of the tender of payment is filed, at least 10 per centum of the tender deposited in the individual Indian money account shall be withheld from disbursement pending a final determination under this subsection.

Offset or counterclaims

SEC. 14. No part of any expenditure made by the United States under any of the provisions of this Act shall be charged by the United States as an offset or counterclaim against any tribal claim against the United States which has arisen prior to the date of enactment of this Act. The payment of Sioux benefits as provided for in section 17 of the Act of March 2, 1889 (25 Stat. 888), as amended, shall be continued under the provisions of section 14 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), on the basis now in operation without regard to the loss of tribal land within the taking area for the Big Bend project.

25 U.S.C. 474

Appropriation

SEC. 15. There is hereby authorized to be appropriated such amounts as may be necessary for the purposes of this Act.

Legal land descriptions

SEC. 16. The land taken by section 1 of this Act, embracing approximately 14,299.03 acres, and the land heretofore acquired in condemnation proceedings by civil numbered 335, embracing approximately 310,000 acres, are the lands identified and delimited on a map entitled, "A map delimiting tribal and individual Indian trust and restricted land of the Lower Brule Sioux Reservation acquired by the United States for the Big Bend Dam and Reservoir project for the sum of $825,000". Legal descriptions of the lands shown therein shall be prepared by the Secretary of the Army and attached thereto. The map and descriptions shall be prepared by the Secretary of the Army and shall be filed among the land records of the Bureau of Indian Affairs in Washington, District of Columbia, and a duplicate original filed and maintained at the agency in Pierre, South Dakota. A true and correct copy of the map and descriptions shall be furnished without cost to the tribe. The Secretary of the Army shall prepare and furnish the Secretary of the Interior and the tribe tract by tract legal descriptions of trust and restricted land acquired by this Act within two years of enactment of this Act: *Provided*, That within ninety days after notice of rejection is filed pursuant to subsection 13 (a) the Secretary of the Army shall furnish to the individual Indian and to the Superintendent of the Pierre Indian Agency a legal description of the lands covered by the rejection.

Tax exemption.

SEC. 17. All funds authorized by this Act paid to the tribe and individual Indians shall be exempt from all forms of State and Federal taxation.

Lessee or permittee, reimbursement

SEC. 18. The Secretary of the Army is authorized and directed to pay to any bona fide lessee or permittee owning improvements situated on Indian tribal land the fair value, as determined by the Secretary, or by a court of competent jurisdiction, of any such improvements which will be rendered inoperative or be otherwise adversely affected by the construction of the Big Bend Dam and Reservoir project.

Approved, October 3, 1962.

PUBLIC LAW 87-735

AN ACT

October 3, 1962
[H. R. 5165]
76 Stat. 704

To provide for the acquisition of and the payment for individual Indian and tribal lands of the Crow Creek Sioux Reservation in South Dakota, required by the United States for the Big Bend Dam and Reservoir project on the Missouri River, and for the rehabilitation, social, and economic development of the members of the tribe, and for other purposes.

Crow Creek Sioux Reservation, S. Dak.
Land acquisition for Big Bend Dam and Reservoir project.
33 U. S. C. 701-1 *et seq.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the Big Bend Dam and Reservoir project authorized by the Flood Control Act of December 22, 1944 (58 Stat. 887, 891)—

(a) The entire interest, including gravel but excluding the interest in oil, gas, and all other minerals of any nature whatsoever, in approximately 6,283.57 acres of land within the taking area described in this Act in the Crow Creek Sioux Reservation in South Dakota, in which the Crow Creek Sioux Tribe or individual Indians have a trust or restricted interest, and any interest the tribe or Indians may have within the bed of the Missouri River so far as it is within the boundaries of the reservation are hereby taken by the United States for the Big Bend Dam and Reservoir project on the Missouri River, and in consideration thereof and for 132.61 acres of trust or restricted lands heretofore acquired by the United States in condemnation proceedings for the Big Bend project the United States will pay to the tribe and the individual Indian owners, out of funds available for the Big Bend Dam and Reservoir project—

(1) a sum aggregating $355,000 to be disbursed in accordance with the provisions of schedules prepared pursuant to section 2 (b) of this Act; and

(2) the amount of $209,302, which shall be in settlement of all claims, rights, and demands of the tribe and individual Indians arising out of the taking under this Act, to be disbursed in accordance with the provisions of section 2 hereof.

(b) Upon a determination by the Secretary of the Army, within two years from the date of enactment of this Act, filed among the appropriate land records of the Department of the Interior, that any of the lands described in this Act are not required for Big Bend project purposes, title to such land shall be revested in the former owner.

Compensation

SEC. 2. (a) The payments authorized by section 1 of this Act, less the amounts heretofore deposited by the United States in the case entitled United States of America, Plaintiff, against 867.50 acres of land, etc., and Crow Creek Tribe of Sioux Indians et al., Defendants, civil numbered 335, filed in the United States District Court for the District of South Dakota, for trust property acquired in the taking area described in this Act, shall be deposited to the credit of the tribe in the Treasury of the United States and shall draw interest on the principal at the rate of 4 per centum per annum until expended: *Provided,* That there shall not be deducted from the payments authorized by section 1 of this Act amounts deposited as compensation in the aforesaid case for improvements located on lands not owned by the individual Indian owner of the improvements.

Schedules.

(b) The amount paid pursuant to section 1 (a) (1) of this Act shall be allocated in accordance with Indian ownership schedules prepared by the Secretary of the Interior, after consultation with the Crow Creek Tribal Council to correct known errors and to insure fair and equitable allocation. These schedules shall reflect the amount agreed upon by the Secretary of the Army and the Secretary of the Interior as the basis for negotiation, after appropriate acreage adjustments, increased by a uniform percentage to equal the amount paid. The

⊥705

⊥amounts allocated for payment of property owned by individual Indians shall be credited to their respective individual Indian money accounts. No part of the compensation provided for in section 1 shall be subject to any lien, debt, or claim of any nature whatsoever against the tribe or the individual Indian owners entitled to the compensation, except delinquent debts owed to the United States by the tribe, or delinquent debts owed to the tribe or to the United States by the individual Indians entitled to the compensation: *Provided,* That such compensation shall not be applied to the payment of such delinquent debts unless the Secretary of the Interior first determines and

certifies that no hardship will result from the payment of such delinquent debts.

(c) The tribal council with the approval of the Secretary of the Interior shall make available from the funds authorized by section 1 (a) (2) of this Act not to exceed $77,550, to pay the expenses, costs, losses, and damages incurred by members of the tribe as a direct result of moving themselves and their possessions, including dwellings and other buildings owned by the individual members, on account of the acquisition referred to in section 1 of this Act. The balance of the amount paid pursuant to section 1 (a) (2) shall be consolidated with the appropriation authorized by section 3 of this Act and shall be expended in accordance with the provisions of section 3.

Economic and social conditions, improvement.

SEC. 3. There is authorized to be appropriated the additional sum of $3,802,500 which shall be deposited in the Treasury of the United States to the credit of the tribe and which shall draw interest on the principal at the rate of 4 per centum per annum until expended, for the purposes of developing individual and family plans, relocating, reestablishing, and providing other assistance designed to improve the economic and social conditions of enrolled members of the tribe on the date of enactment of this Act. The funds authorized by this section shall be expended in accordance with plans and programs approved by both the tribal council and the Secretary of the Interior: *Provided*, That $400,000 shall be allocated exclusively for industrial development on the reservation or within fifty miles of any exterior boundary of the reservation with preferential right of employment for members of the tribe. Nothing in this Act shall be construed to prevent cooperative action with the Lower Brule Sioux Tribe on industrial development or other programs: *And provided further*, That no part of such funds shall be used for per capita payments, or for the purchase of land by the tribe except for the purpose of resale to individual Indians in furtherance of the rehabilitation program authorized by this section, which resale is hereby authorized.

Indian cemeteries, etc., relocation.

SEC. 4. The Secretary of the Army, out of funds appropriated for the Big Bend project other than funds provided by this Act, is authorized and directed to relocate and reestablish such Indian cemeteries, tribal monuments, and shrines within the taking area of the Big Bend project as the tribal council, with the approval of the Secretary of the Interior, shall select and designate: *Provided*, That reinterment of individual remains, but not entire cemeteries, outside the reservation boundaries is authorized if desired by the next of kin and approved by the tribal council, but in no even will reinterment be made to a site which exceeds the equivalent distance from disinterment site to the farthest point at which reinterment could be made within the reservation boundaries.

Government and agency facilities.

SEC. 5. The Secretary of the Army is authorized and directed out of funds appropriated for the Big Bend project other than funds provided by this Act to protect, replace, relocate, or reconstruct any existing essential governmental and agency facilities on the reservation, including schools, hospitals, Public Health Service and Bureau ⊥of Indian Affairs offices, facilities, service buildings, and employees' ⊥706 quarters, roads, bridges, and incidental matters or facilities in connection therewith, which the Secretary of the Interior determines will be impaired or required by reason of the Big Bend project: *Provided, however*, That the design criteria employed shall be reasonably comparable to that of the presently existing roads, bridges, and facilities.

Townsite, construction.

SEC. 6. The Secretary of the Army, under plans approved by the Secretary of the Interior after consultation with the Crow Creek Tribal Council, is authorized and directed out of funds appropriated for the Big Bend project other than funds provided by this Act, to locate and construct on tribal land selected by the Crow Creek Tribal Council with the approval of the Secretary of the Interior, a townsite

adequate for fifty homes, including streets, utilities, including water, sewage, and electricity, taking into account the reasonable future growth of the townsite, a community center containing space and facilities for community gatherings, tribal offices, tribal council chamber, Bureau of Indian Affairs and Public Health Service offices and quarters and a combination gymnasium and auditorium: *Provided*, That not to exceed $35,000 shall be withdrawn from funds of the tribe authorized under section 3 of this Act, and transferred to funds available for the Big Bend Dam and Reservoir project upon request of the Secretary of the Army after completion of the work.

The tribal council is authorized with the approval of the Secretary of the Interior (a) to convey, with or without compensation, tribal land, exclusive of minerals, for church or cemetery purposes for so long as the land is used for such purposes, and (b) to sell unimproved lots in the townsite, exclusive of minerals, at competitive sale to the highest qualified bidder but for not less than the appraised value, pursuant to such terms and conditions as the Secretary may prescribe.

Mineral reservation.

SEC. 7. All minerals of any kind whatsoever, including oil and gas, but excluding gravel, in the lands taken by this Act are hereby reserved for the benefit of the tribe or individual Indian owners as their interests may appear. All right, title, and interest of the United States in such minerals in trust or restricted land heretofore acquired by the United States for the Big Bend project, are hereby revested in the former owners. All such minerals in trust or restricted land hereafter acquired by the United States for the Big Bend project shall be reserved for the benefit of the owners as their interests may appear. Notwithstanding the foregoing provisions of this section the exploration and development of such minerals, including oil and gas, within the taking area shall be subject to all reasonable regulations of the Secretary of the Army necessary for the protection of the Big Bend project.

Vacating, effective date

SEC. 8. Members of the Crow Creek Sioux Tribe now residing within the taking area of the Big Bend project shall have the right without charge to remain on and use the lands taken by this Act until required to vacate at such times as may be fixed by the Secretary of the Army, with the approval of the Secretary of the Interior: *Provided*, That the time for vacating in any event will not extend beyond July 1, 1963.

Timber, etc.

SEC. 9. Individual Indians and the tribe are authorized without charge to retain timber and improvements removed by them from their respective trust or restricted lands on the reservation acquired by this Act and heretofore acquired by the United States for the Big Bend project. Up to sixty days before the individual Indian landowners and the tribe are required to vacate the taking area in accordance with this Act, they shall have the right, without charge, to cut and remove all timber and to salvage any improvements on their respective lands but, if such rights are not exercised or are waived ⊥within the time prescribed, the tribe, through its tribal council, may exercise such rights: *Provided*, That the timber cut and the salvage perimtted by this section shall not be construed to be compensation.

⊥707

Grazing privileges.

SEC. 10. Subject to the right of the United States to occupy, use, and control trust and restricted lands acquired by this Act and heretofore acquired in condemnation action civil numbered 335 for the construction, operation, and maintenance of the Big Bend Dam and Reservoir project pursuant to the Flood Control Act of 1944, approved December 22, 1944, and amendatory laws, as determined necessary by the Secretary of the Army adequately to serve said purposes, the Crow Creek Sioux Tribe shall be permitted, after the Big Bend Dam gates are closed and the waters of the Missouri River impounded, to graze stock without charge on such of the land described in this section as lies between the level of the reservoir and the taking line described in section 16 of this Act and as the Secretary of the Army determines is

33 U. S. C. 701–1 *et seq.*

not devoted to other beneficial uses and to lease such land for grazing purposes to members or nonmembers of the tribe on such terms and conditions as the Secretary of the Interior may prescribe. The tribe and members thereof shall have without cost the right of free access to the shoreline of the reservoir including the right to hunt and fish in and on the aforesaid shoreline and reservoir, subject, however, to regulations governing the corresponding use by other citizens of the United States.

Hunting and fishing rights

SEC. 11. Notwithstanding any other provision of law, for the purposes of (1) providing substitute land for individual Indians who owned land within the taking area of the Fort Randall or Big Bend projects, (2) consolidating land holdings, and (3) eliminating fractionated heirship interests within the reservation, the Secretary of the Interior is authorized to purchase, with funds made available by such individual Indians or by the tribe, land or interests in land, and to sell tribal land upon request of the tribe, but no service charge shall be made by the United States. The land selected by and purchased for individual Indians may be either inside or outside the boundaries of the reservation. Title to any land or interests in land acquired within the boundaries of the reservation shall be taken in the name of the United States in trust for the tribe or the individual Indian for whom the land is acquired, and title to any land or interests in land acquired outside the boundaries of the reservation shall be taken in the name of the individual for whom it is acquired: *Provided*, That title to lands outside the exterior boundaries of the reservation acquired by the tribe shall be taken in the name of the tribe subject to a restriction against alienation without the consent of the Secretary of the Interior, but shall not be exempt from taxation.

Purchase and sale of land

For the purposes of this section, but without limiting the authority contained in the Act of June 25, 1910 (36 Stat. 855), as amended, the Secretary of the Interior is authorized to partition or sell individually owned lands in which all interests are held in trust or restricted status (1) upon the request of the owners of not less than a 25 per centum interest in such land where ten persons or more own or claim interests in the land, or (2) upon the request of the owners of not less than a 50 per centum interest in such land where fewer than ten persons own or claim interests in the land. For the purpose of this section, the Secretary of the Interior may represent any Indian owner who is a minor or who is under any other legal disability, and the Secretary, after first giving reasonable notice by publication of the proposed sale, is authorized to represent any Indian owner or claimant who cannot be located after reasonable and diligent search. Sales of all Indian trust or restricted interests in land shall be in accordance with the following procedure:

Partition or sale of individually owned lands.
25 U. S. C. 151, 372

⊥(a) Upon receipt of requests from the required ownership interests, the Secretary shall notify the tribe and each owner of an undivided Indian interest in the land by a letter directed to his last known address that each such owner and the tribe has a right to purchase the land for its appraised value, unless one of the owners objects within the time fixed by the Secretary, or for a lower price if all of the owners agree, and that if more than one owner or if one owner and the tribe wants to purchase the land it will be sold on the basis of sealed competitive bids restricted to the owners of undivided interests in the land and the tribe.

⊥708
Procedure

(b) If no Indian owner of an undivided interest in the land elects to purchase the land within the time fixed by the Secretary, and the tribe owns no interest in the land, the Secretary shall offer to sell the land at its appraised value to the tribe, unless one of the Indian owners or his authorized representative objects within the time fixed by the Secretary to a sale to the tribe at the appraised value.

(c) If any Indian owner or his authorized representative objects to a sale to the tribe at the appraised value, the Secretary shall offer the land for sale by sealed competitive bid with a preferential right in the tribe or any Indian owner to meet the high bid, unless one of the Indian owners or his authorized representative objects within the time fixed by the Secretary to the grant of such preferential right. All bids shall be rejected if no bid substantially equal to the appraised value is received.

(d) If any Indian owner or his authorized representative objects to a sale by sealed competitive bid with a preferential right to meet the high bid, the Secretary shall offer the land for sale by sealed bids without such preferential right: *Provided*, That, if at any time before sealed bids are invited the tribe or one of the Indian owners asks that the land be sold at auction, then after notice to all interested parties including the tribe, the land shall be sold at auction immediately after the opening of the sealed bids and auction bidding shall be limited to the Indian owners, the tribe, and persons who submitted sealed bids in amounts not less than 75 per centum of the appraised value of the land. The highest sealed bid shall be considered the opening auction bid. No sale shall be made unless the price is equal to the highest sealed bid and substantially equal to the appraised value.

Sale at auction

(e) The Secretary may, when he deems it in the best interests of the Indian owners, obtain a power of attorney from the owner of a non-Indian interest in the land to be sold authorizing the Secretary to sell and convey the interest of the non-Indian owner in accordance with any part of the procedure provided in this section.

Power of attorney.

SEC. 12. The Secretary of the Treasury, upon certification by the Secretary of the Interior, shall reimburse the tribe for fees and expenses incurred in connection with the taking of Indian lands within the reservation for the Big Bend project: *Provided*, That such reimbursable fees and expenses shall not exceed in the aggregate $75,000: *Provided further*, That attorney fees shall be paid under the terms of a contract approved by the Secretary of the Interior.

Fees and expenses.

SEC. 13. (a) Any individual Indian who has been duly tendered payment in accordance with the schedules prepared pursuant to section 2 (b) of this Act, shall have the right to reject the sum tendered by filing a notice of rejection with the Chief of Engineers, United States Army, Washington, District of Columbia, or with the superintendent of the Pierre Indian Agency, Pierre, South Dakota, within one year from the date of enactment of this Act or within ninety days after the tender is made, whichever date is later. For the purpose of this section, the Secretary of the Interior and the tribe are authorized to represent any Indian entitled to payment who is a minor, or under ⊥any other legal disability, or who cannot be located after a reasonable and diligent search, and any person who is an undetermined heir or devisee of a deceased Indian.

Notice of rejection.

⊥709

(b) If the land of any Indian rejecting payment is included in condemnation proceedings heretofore instituted, the court in those proceedings shall proceed to determine the just compensation to which the individual is entitled and, if the land is not included in such condemnation proceedings, jurisdiction is hereby conferred upon the United States District Court for the District of South Dakota to determine just compensation in accordance with procedures applicable to the determination of just compensation in condemnation proceedings. No court or statutory costs but all other costs and expenses including attorney's fees shall be at the contesting individual's expense. Suit may be brought on behalf of any individual rejecting payment within one year after the date of the rejection. If a notice of rejection of the tender of payment is filed, at least 10 per centum of the tender deposited in the individual Indian money account shall be

District court, jurisdiction.

withheld from disbursement pending a final determination under this subsection.

Offset or counter claims.

SEC. 14. No part of any expenditure made by the United States under any of the provisions of this Act shall be charged by the United States as an offset or counterclaim against any tribal claim against the United States which has arisen prior to the date of enactment of this Act. The payment of Sioux benefits as provided for in section 17 of the Act of March 2, 1889 (25 Stat. 888), as amended, shall be continued under the provisions of section 14 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), on the basis now in operation without regard to the loss of tribal land within the taking area for the Big Bend project.

25 U. S. C. 474.

Appropriation

SEC. 15. There are hereby authorized to be appropriated such amounts as may be necessary for the purposes of this Act.

Legal land descriptions.

SEC. 16. The land taken by section 1 of this Act, embracing approximately 6,283.57 acres, and the land heretofore acquired in condemnation proceedings by civil numbered 335, embracing approximately 132.61 acres, are the lands identified and delimited on a map entitled, "A map delimiting tribal and individual Indian trust and restricted land of the Crow Creek Sioux Reservation acquired by the United States for the Big Bend Dam and Reservoir project for the sum of $355,000". Legal descriptions of the lands shown therein shall be prepared by the Secretary of the Army and attached thereto. The map and descriptions shall be prepared by the Secretary of the Army and shall be filed among the land records of the Bureau of Indian Affairs in Washington, District of Columbia, and a duplicate original filed and maintained at the agency in Pierre, South Dakota. A true and correct copy of the map and descriptions shall be furnished without cost to the tribe. The Secretary of the Army shall prepare and furnish the Secretary of the Interior and the tribe tract by tract legal descriptions of trust and restricted land acquired by this Act within two years of enactment of this Act: *Provided*, That within ninety days after notice of rejection is filed pursuant to subsection 13 (a) the Secretary of the Army shall furnish to the individual Indian and to the Superintendent of the Pierre Indian Agency a legal description of the lands covered by the rejection.

Tax exemption

SEC. 17. All funds authorized by this Act paid to the tribe and individual Indians shall be exempt from all forms of State and Federal taxation.

1710

Lessee or permittee, reimbursement.

⊥SEC. 18. The Secretary of the Army is authorized and directed to pay to any bona fide lessee or permittee owning improvements situated on Indian tribal land the fair value, as determined by the Secretary, or by a court of competent jurisdiction, of any such improvements which will be rendered inoperative or be otherwise adversely affected by the construction of the Big Bend Dam and Reservoir project.

Approved, October 3, 1962.

PUBLIC LAW 87-775

AN ACT

October 9, 1962
[H. R. 11590]

76 Stat. 776

To provide for the disposition of judgment funds of the Cherokee Nation or Tribe of Indians of Oklahoma.

Indians
Cherokee Tribe, Okla.
Judgment funds, disposition.
25 USC 355 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to distribute per capita to all persons whose names appear on the rolls of the Cherokee Nation, which rolls were closed and made final as of March 4, 1907, pursuant to the Act of April 26, 1906 (34 Stat. 137), and subsequent additions thereto, all funds which were appropriated by the Act of September 30, 1961 (75 Stat. 733), in satisfaction of a judgment that was obtained

by the Cherokee Tribe in the Indian Claims Commission against the United States in docket numbered 173, together with the interest accrued thereon, except $1,432,084.17 which by stipulation of the parties has been set aside for the payments of any offsets that are finally determined to be due the United States, and except the amount allowed for attorney fees and expenses.

Share payments.

SEC. 2. (a) Except as provided in subsections (b) and (c) of this section, a share or proportional share payable to a living adult shall be paid directly to such adult; (b) a share payable to a deceased enrollee shall be distributed to his heirs or legatees upon the filing of proof of death and inheritance satisfactory to the Secretary of the Interior, or his authorized representative, whose findings and determinations upon such proof shall be final and conclusive: *Provided*, That proportional shares of deceased heirs amounting to $10 or less shall not be distributed, and no inherited share amounting to $5 or less shall be paid, and the money shall revert to the tribe; (c) a share or proportional share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

Claims.

SEC. 3. (a) All claims for per capita shares, whether by a living enrollee or by the heirs or legatees of a deceased enrollee, shall be filed with the Area Director of the Bureau of Indian Affairs, Muskogee, Oklahoma, not later than three years from the date of approval of this Act. Thereafter, all claims and the right to file same shall be forever barred and the unclaimed shares shall revert to the tribe.

(b) Tribal funds that revert to the tribe pursuant to this Act, including interest and income therefrom, may be advanced or expended for any purpose that is authorized by the principal chief of the Cherokee Nation and approved by the Secretary of the Interior.

Tax exemption.

SEC. 4. No part of any funds which may be distributed in accordance with the provisions of this Act shall be subject to Federal or State income tax.

Funds not subject to liens, etc.

SEC. 5. No part of any of the funds which may be so distributed shall be subject to any lien, debt, or claim of any nature whatsoever against the tribe or individual Indians except delinquent debts owed by the tribe to the United States, or owned by individual Indians to the tribe or to the United States.

SEC. 6. Payments made under this Act shall not be held to be "other income and resources", as that term is used in section 2 (a) (10) (A), 402 (a) (7), 1002 (a) (8), and 1402 (a) (8) of the Social Security Act (42 U.S.C. 302 (a) (10) (A), 602 (a) (7), 1202 (a) (8), and 1352 (a) (8)).

74 Stat. 988; 53 Stat. 1379; 74 Stat. 997; 64 Stat. 555.

⊥777

Cost payments.

⊥SEC. 7. All costs incident to making the payments authorized by this Act shall be paid by appropriate withdrawals from the judgment fund and interest on the judgment fund, using the interest fund first.

Rules and regulations.

SEC. 8. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, October 9, 1962.

PUBLIC LAW 87-785

October 10, 1962
[H. R. 8113]

AN ACT

76 Stat. 805

To amend the Act of August 9, 1955, for the purpose of including the Southern Ute Indian Reservation among reservations excepted from the twenty-five year lease limitation.

Indians.
Southern Ute Reservation.
73 Stat. 597.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U. S. C. 415), is hereby further amended by deleting the words "and on" and inserting in lieu thereof the words, ", the Southern Ute Reservation, and".

Approved, October 10, 1962.

PUBLIC LAW 87-806

AN ACT

October 15, 1962
[S. 507]

76 Stat. 913

To set aside certain lands in Washington for Indians of the Quinault Tribe.

Indians.
Certain trust lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lands heretofore set aside under the provisions of the Act of August 22, 1914 (38 Stat. 704), for lighthouse purposes at or near Cape Elizabeth on the Quinault Indian Reservation, State of Washington, and consisting of eighty-five and five one-hundredths acres, more or less, in lots 1, 2, and 3 in section 34, township 22 north, range 13 west, Willamette meridian, which lands are excess to the needs of the Treasury Department, shall be, and the same are hereby, set aside in trust for the Quinault Tribe of Indians, in the same manner and to the same extent as other real property held in trust by the United States for said tribe.

Indian Claims Commission.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

25 USC 70a

Approved, October 15, 1962.

PUBLIC LAW 87-808

AN ACT

October 15, 1962
[S. 2454]

76 Stat. 920

To amend the Housing Amendments of 1955 to make Indian tribes eligible for Federal loans to finance public works or facilities, and for other purposes.

Indians.
Public works loans, eligibility.
69 Stat. 642.
42 USC 1491.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201 of the Housing Amendments of 1955 is amended by—

(a) striking out in the first paragraph "subdivisions" and inserting in lieu thereof "subdivisions, and Indian tribes";

(b) striking out in the second paragraph "States," and inserting in lieu thereof "States, and Indian tribes."; and

(c) striking out in the third paragraph "of States," and inserting in lieu thereof "of States, and Indian tribes,".

75 Stat. 173.
42 USC 1492.

SEC. 2. Section 202 of such Act is amended by—

(a) striking out in clause (1) of subsection (a) "same State)," and inserting in lieu thereof "same State), and Indian tribes";

(b) inserting ", or an Indian tribe" before the period at the end of the second sentence in subsection (c).

75 Stat. 175.
42 USC 1497.

SEC. 3. Section 207 of such Act is amended by striking out in the first sentence "instrumentalities" and inserting in lieu thereof "instrumentalities, and Indian tribes".

Approved, October 15, 1962.

PUBLIC LAW 87-828

AN ACT

October 15, 1962
[H. R. 9342]

76 Stat. 954

To provide for an exchange of lands between the United States and the Southern Ute Indian Tribe, and for other purposes.

Indians.
Southern Ute Tribe, Colo.
Exchange of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby transferred to the United States all of the right, title, and interest of the Southern Ute Indian Tribe in the following lands, which are needed for the Navajo Dam and Reservoir project, except the minerals therein and the right to prospect for and remove them in a manner that does not impair the project, as prescribed by the Secretary of the Interior:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

TOWNSHIP 32 NORTH, RANGE 4 WEST

Section 16: West half northwest quarter southwest quarter southwest quarter, northwest quarter southwest quarter southwest quarter southwest quarter,

Section 17: South half south half northwest quarter southeast quarter, north half southwest quarter southwest quarter, north half south half southwest quarter southwest quarter, south half southwest quarter northeast quarter southeast quarter,

Section 18: North half northwest quarter southwest quarter, northeast quarter southeast quarter northwest quarter southwest quarter, north half southeast quarter southeast quarter, north half south half southeast quarter southeast quarter, northeast quarter southwest quarter southeast quarter, north half northwest quarter southwest quarter southeast quarter, north half northeast quarter southeast quarter southwest quarter.

TOWNSHIP 32 NORTH, RANGE 5 WEST

Section 5: Southeast quarter northeast quarter southeast quarter northwest quarter, east half southeast quarter southeast quarter northwest quarter,

Section 9: West half, east half southeast quarter southeast quarter, west half southeast quarter southeast quarter, southwest quarter southeast quarter, southeast quarter southeast quarter southeast quarter southeast quarter,

Section 10: Southeast quarter southeast quarter, southwest quarter southeast quarter, northeast quarter southeast quarter northeast quarter southeast quarter, south half south half northeast quarter southeast quarter, southeast quarter southeast quarter southwest quarter, south half southwest quarter southeast quarter southwest quarter, northeast quarter southwest quarter southeast quarter southwest quarter, southeast quarter southeast quarter southwest quarter southwest quarter,

Section 11: South half south half northwest quarter southwest quarter, northwest quarter southwest quarter northwest quarter southwest quarter, south half southwest quarter northeast quarter southwest quarter,

Section 12: Southeast quarter southwest quarter southwest quarter southwest quarter, south half southeast quarter southwest quarter southwest quarter, south half south half southeast quarter southwest quarter,

1955 ⊥Section 13: Northeast quarter northeast quarter southwest quarter, north half northwest quarter southeast quarter, north half north half northeast quarter southeast quarter,

Section 14: North half north half northeast quarter southwest quarter, north half northeast quarter northwest quarter southwest quarter, north half northwest quarter northwest quarter southeast quarter,

Section 15: West half northwest quarter northeast quarter southeast quarter, west half northeast quarter, northwest quarter southeast quarter, north half north half southwest quarter southeast quarter,

Section 16: Northeast quarter.

Containing 707.5 acres, more or less.

Archuleta Mesa, reservation of mineral rights by U.S.

(b) In exchange for such conveyance, the Secretary of the Interior is authorized to transfer to the United States in trust for the Southern Ute Indian Tribe, subject to valid existing rights, public lands on the Archuleta Mesa, reserving to the United States the minerals therein and the right to prospect for and remove them under regulations of

the Secretary of the Interior, that are contiguous to the present eastern boundary of the Southern Ute Indian Reservation, and that have a value equal to or not materially greater than the value of the lands conveyed by the tribe, such values to be determined by the Secretary: *Provided*, That such public lands shall be selected in a manner that will not increase the Government's management problem for other public lands, the selection shall be approved by the Southern Ute Indian Tribe, and the Southern Ute Indian Tribe shall pay to the United States any difference in the values of the lands exchanged.

Compensation for improvements.

(c) The owners of the range improvements of a permanent nature placed, under the authority of a permit from or agreement with the United States, on the public lands conveyed to the tribe shall be compensated for the reasonable value of such improvements, as determined by the Secretary, out of appropriations available for the construction of the Navajo unit, Colorado River storage project.

(d) Persons whose grazing permits, licenses, or leases on the public lands conveyed to the tribe are canceled because of such conveyance shall be compensated in accordance with the standard prescribed by the Act of July 9, 1942, as amended (43 U. S. C. 315q), out of appropriations available for the construction of the Navajo unit, Colorado River storage project.

56 Stat. 654.

(e) The public lands conveyed to the tribe shall be a part of the Southern Ute Indian Reservation and shall be subject to the laws and regulations applicable to other tribal lands in that reservation.

(f) The tribal lands conveyed to the United States shall no longer be "Indian country" within the meaning of section 1151 of title 18 of the United States Code. They shall have the status of public lands withdrawn for administration pursuant to the Federal reclamation laws, and they shall be subject to all laws and regulations governing the use and disposition of public lands in that status.

"Indian country."
62 Stat. 757.

R R right-of-way Crossing privileges.

(g) In any right-of-way granted by the United States for a railroad over the tribal lands conveyed to the United States, the Secretary shall provide the Southern Ute Indians, at such points as he determines to be reasonable, the privilege of crossing such right-of-way.

Public recreational facilities, approval.

(h) The tribal lands conveyed to the United States shall not be utilized for public recreational facilities without the approval of the Southern Ute Tribal Council.

Fishing rights.

(i) Nothing in this Act shall be construed to abridge any fishing rights that are vested in the Indians.

Approved, October 15, 1962.

PUBLIC LAW 87-852

AN ACT

October 23, 1962
[H. R. 8355]

76 Stat. 1129

To authorize executive agencies to grant easements in, over, or upon real property of the United States under the control of such agencies, and for other purposes.

Real property of U S. Authority to grant easements.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever a State or political subdivision or agency thereof or any person makes application for the grant of an easement in, over, or upon real property of the United States for a right-of-way or other purpose, the executive agency having control of such real property may grant to the applicant, on behalf of the United States, such easement as the head of such agency determines will not be adverse to the interests of the United States, subject to such reservations, exceptions, limitations, benefits, burdens, terms, or conditions, including those provided in section 2 hereof, as the head of the agency deems necessary to protect the interests of the United States. Such grant may be made without consideration, or with monetary or other consideration, including any interest in real property. In connection with the grant of

such an easement, the executive agency concerned may relinquish to the State in which the affected real property is located such legislative jurisdiction as the executive agency deems necessary or desirable. Relinquishment of legislative jurisdiction under the authority of this Act may be accomplished by filing with the Governor of the State concerned a notice of relinquishment to take effect upon acceptance thereof or by proceeding in such manner as the laws applicable to such State may provide.

Conditions.

SEC. 2. The instrument granting any such easement may provide for termination of the easement in whole or in part if there has been—

(a) a failure to comply with any term or condition of the grant, or

(b) a nonuse of the easement for a consecutive two-year period for the purpose for which granted, or

(c) an abandonment of the easement.

If such a provision is included, it shall require that written notice of such termination shall be given to the grantee, or its successors or assigns. The termination shall be effective as of the date of such notice.

SEC. 3. The authority conferred by this Act shall be in addition to, and shall not affect or be subject to, any other law under which an executive agency may grant easements.

Definitions.

SEC. 4. As used in this Act—

(a) The term "State" means the States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

(b) The term "executive agency" means any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation.

(c) The term "person" includes any corporation, partnership, firm, association, trust, estate, or other entity.

(d) The term "real property of the United States" excludes the public lands (including minerals, vegetative, and other resources) in the United States, including lands reserved or dedicated for national forest purposes, lands administered or supervised by the Secretary of the Interior in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, Indian-owned trust and restricted lands, and lands acquired by the United States primarily for fish and wildlife conservation purposes and administered by the Secretary of ⊥the Interior, lands withdrawn from the public domain primarily under the jurisdiction of the Secretary of the Interior, and lands acquired for national forest purposes.

16 USC 1 *et seq.*

⊥1130

Approved, October 23, 1962.

PUBLIC LAW 87-866

October 23, 1962
[H. R. 12135]
76 Stat. 1145

AN ACT

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Federal Aid Highway Act of 1962.

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1962".

AUTHORIZATIONS

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated:

* * *

(7) For Indian reservation roads and bridges, $16,000,000 for the fiscal year ending June 30, 1964, and $18,000,000 for the fiscal year ending June 30, 1965.

* * *

⊥DEFINITIONS ⊥1149

SEC. 12. For the purposes of section 2 of this Act each of the following terms shall have the same meaning as is given it in section 101 of title 23 of the United States Code: 72 Stat. 885.

* * *

(3) Indian reservation roads and bridges;

* * *

Approved, October 23, 1962.

PUBLIC LAW 86-884

JOINT RESOLUTION

To provide protection for the golden eagle.

October 24, 1962
[H. J. Res. 489]
76 Stat. 1246

Whereas the population of the golden eagle has declined at such an alarming rate that it is now threatened with extinction; and

Whereas the golden eagle should be preserved because of its value to agriculture in the control of rodents; and

Whereas protection of the golden eagle will afford greater protection for the bald eagle, the national symbol of the United States of America, because the bald eagle is often killed by persons mistaking it for the golden eagle: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first two sections of the Act of June 8, 1940 (54 Stat. 250, as amended; 16 U. S. C. 668, 668a), are hereby amended to read as follows: "Whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted to do so as hereinafter provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle commonly known as the American eagle, or any golden eagle, alive or dead, or any part, nest, or egg thereof of the foregoing eagles, shall be fined not more than $500 or imprisoned not more than six months, or both: *Provided,* That nothing herein shall be construed to prohibit possession or transportation of any bald eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to June 8, 1940, and that nothing herein shall be construed to prohibit possession or transportation of any golden eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to the addition to this Act of the provisions relating to preservation of the golden eagle. Golden eagle, protection.

"SEC. 2. Whenever, after investigation, the Secretary of the Interior shall determine that it is compatible with the preservation of the bald eagle or the golden eagle to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, and zoological parks, or for the religious purposes of Indian tribes, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality, he may authorize the taking of such eagles pursuant to regulations which he is hereby authorized to prescribe: *Provided,* That on request of the Governor of any State, the Secretary of the Interior shall authorize the taking of golden eagles for the purpose of seasonally protecting domesticated flocks and herds in such State, in accordance with regulations established under the provisions of this section, in such part or parts of such State and for such periods as the Secretary Regulations, authorization.

determines to be necessary to protect such interests: *Provided further*, That bald eagles may not be taken for any purpose unless, prior to such taking, a permit to do so is procured from the Secretary of the Interior."

Approved, October 24, 1962.

PRIVATE LAWS OF THE EIGHTY-SEVENTH CONGRESS, SECOND SESSION, 1962

PRIVATE LAW 87-445

June 27, 1962
[S. 2895]
76 Stat. 1320

AN ACT

To provide for the conveyance of certain lands of the Minnesota Chippewa Tribe of Indians to the Little Flower Mission of the Saint Cloud Diocese.

Little Flower Mission of the Saint Cloud Diocese
Land conveyance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, with the consent of the Minnesota Chippewa Tribe, is hereby authorized to convey to the Little Flower Mission of the Saint Cloud Diocese, without the payment of any consideration, all right, title, and interest of the United States of America and the Minnesota Chippewa Tribe in and to the following described land located on the Mille Lacs Indian Reservation: Lot 7, section 28, township 43 north, range 27 west, fourth principal meridian, Minnesota, containing 4.78 acres, more or less, subject to the road right-of-way for Minnesota Trunk Highway Numbered 169, and all other valid existing rights-of-way. The conveyance shall provide that title to the land shall revert to the United States in trust for the Minnesota Chippewa Tribe when it is no longer used for religious purposes.

Approved, June 27, 1962.

PRIVATE LAW 87-446

July 2, 1962
[H. R. 10459]
76 Stat. 1321

AN ACT

To provide for the conveyance of thirty-nine acres of Minnesota Chippewa tribal land on the Fond du Lac Indian Reservation to the Saints Mary and Joseph Church, Sawyer, Minnesota.

Sts. Mary and Joseph Church, Sawyer, Minn.
Conveyance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, with the approval of the Minnesota Chippewa Tribe, is authorized to convey a tract of tribal land located on the Fond du Lac Reservation, Minnesota, described as: Lot 5, section 33, township 49 north, range 18 west, fourth principal meridian, Minnesota, containing 39.0 acres, more or less, subject to prior valid existing rights-of-way, to the Saints Mary and Joseph Church, Sawyer, Minnesota: *Provided*, That the title to the land hereby authorized to be conveyed will revert to the United States in trust for the Minnesota Chippewa Tribe when it is no longer used for religious purposes.

Approved, July 2, 1962.

PUBLIC LAWS OF THE EIGHTY-EIGHTH CONGRESS, FIRST SESSION, 1963

PUBLIC LAW 88-24

May 17, 1963
[S. 138]
77 Stat. 18

AN ACT

To redesignate the Big Hole Battlefield National Monument, to revise the boundaries thereof, and for other purposes.

Big Hole Battlefield National Monument

53 Stat. 2544.
3 CFR, Cum. Supp.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Big Hole Battlefield National Monument, established by Executive Order Numbered 1216 of June 23, 1910, and enlarged by Proclamation Numbered 2339 of June 29, 1939, is hereby redesignated as the Big Hole National Battlefield.

SEC. 2. In order to preserve historic features and sites associated with the Battle of the Big Hole and to facilitate their administration ⊥and interpretation, the boundaries of the Big Hole National Battlefield are hereby revised to include the following described lands: 119

MONTANA PRINCIPAL MERIDIAN

Township 2 south, range 17, west: Section 13, southwest quarter southeast quarter, southeast quarter southwest quarter, east half southwest quarter southwest quarter; section 23, east half northeast quarter southeast quarter; section 24, west half east half, north half southwest quarter, southeast quarter southwest quarter, east half southwest quarter southwest quarter; section 25, those portions of the northeast quarter northwest quarter and the northwest quarter northeast quarter lying north of the north right-of-way line of relocated Montana State Route 43; consisting of approximately 466 acres.

SEC. 3. (a) The Secretary of the Interior may acquire by donation, purchase, exchange, or otherwise, lands and interests in lands within the area described in section 2 of this Act.

(b) Any lands described in section 2 of this Act that are a part of the Beaverhead National Forest when this Act takes effect are hereby excluded from the forest and added to the Big Hole National Battlefield.

(c) Lands included in the Big Hole National Battlefield pursuant to this Act shall be administered in accordance with the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U. S. C. 1–3), as amended and supplemented.

SEC. 4. There is hereby retroceded to the State of Montana, effective when accepted by said State in accordance with its laws, such jurisdiction as has been ceded by such State to the United States over any lands within the boundaries of the Big Hole National Battlefield reserving in the United States, however, concurrent legislative jurisdiction over such lands.

SEC. 5. There are authorized to be appropriated such sums not exceeding $20,000 as are necessary for the acquisition of lands and interests in land pursuant to this Act.

Approved, May 17, 1963.

PUBLIC LAW 88-25

AN ACT

May 17, 1963
[H. R. 5517]
77 Stat. 20

Making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1963") for the fiscal year ending June 30, 1963, and for other purposes, namely:

Supplemental Appropriation Act, 1963.

TITLE I

* * *

⊥DEPARTMENT OF THE INTERIOR 128

* * *

BUREAU OF INDIAN AFFAIRS

RESOURCES MANAGEMENT

For an additional amount for "Resources management", $1,290,000.

MENOMINEE EDUCATIONAL GRANTS

For grants to the State of Wisconsin or the County or Town of Menominee for school district costs, as authorized by the Act of April 4, 1962 (Public Law 86-432), $176,000, to be derived by transfer from the appropriation for "Education and welfare services", fiscal year 1963.

76 Stat. 53

PAYMENTS TO THE LOWER BRULE SIOUX AND CROW CREEK SIOUX TRIBES OF INDIANS

For rehabilitation, relocation and other assistance of the Crow Creek Sioux and the Lower Brule Sioux Indian Tribes, in connection with the taking of lands for the Big Bend Project, as authorized by law (76 Stat. 698, 704), $5,771,250, of which $3,802,500 is for the account of the Crow Creek Sioux Tribe and $1,968,750 is for the account of the Lower Brule Sioux Tribe.

* * *

134 ⊥TITLE II—INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1963, for increased pay costs authorized by or pursuant to law, as follows:

* * *

137 ⊥INDEPENDENT OFFICES

* * *

138 ⊥Indian Claims Commission: "Salaries and expenses", $6,650;

* * *

139 ⊥DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs:
"Education and welfare services", $1,208,400;
"General administrative expenses", $190,950;

* * *

143 Approved, May 17, 1963.

PUBLIC LAW 88-34

May 29, 1963
[S. 247]

AN ACT

77 Stat. 52

To authorize survey and establishment of a townsite for the Juneau Indian Village in Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 25, 1926 (44 Stat. 629; 48 U. S. C. 355a-355d), is hereby extended and made applicable to all lands of the Juneau Indian Village of Alaska, including uplands and filled in tidelands occupied on the date of this Act.

Approved, May 29, 1963.

PUBLIC LAW 88-79

July 26, 1963
[H. R. 5279]

AN ACT

77 Stat. 96

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

Department of the Interior and Related Agencies Appropriation Act, 1964.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

⊥BUREAU OF INDIAN AFFAIRS 198

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $89,235,250.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts, as authorized by law; $37,691,300.

⊥REVOLVING FUND FOR LOANS 199

For payment to the revolving fund for loans, as authorized by section 10 of the Act of June 18, 1934, as amended (25 U. S. C. 470), $2,000,000. 48 Stat. 986

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract: $58,300,000, to remain available until expended: *Provided,* That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further,* That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations: *Provided further,* That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further,* That not to exceed $219,000 shall be available for assistance to the public school district for construction of additional classroom facilities at Ignacio, Colorado: *Provided further,* That not to exceed $450,000 shall be for assistance to the Newtown, North Dakota, Public School District Numbered 1, for construction of an addition to the Newtown Public School: *Provided further,* That not to exceed $370,000 shall be for assistance to the Grants, New Mexico, Municipal School District Numbered 3, Valencia County, New Mexico, for construction of an addition to the public high school serving the Pueblos of Laguna and Acoma.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, $15,000,000, to remain available until expended. 72 Stat. 906.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bu-

reau of Indian Affairs, including such expenses in field offices, $4,265,000.

MENOMINEE EDUCATIONAL GRANTS

For grants to the State of Wisconsin or the County or Town of Menominee for school district costs, as authorized by the Act of April 4, 1962 (76 Stat. 53), $132,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed two hundred and seventy-five passenger motor vehicles (including sixty-eight for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year), of which two hundred and thirty-three shall be for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), the Act of August 3, ⊥1956 (70 Stat. 986), and legislation terminating Federal supervision over certain Indian tribes; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458
⊥100
25 U. S. C. 309, 309a

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a curator for the Osage Museum, who shall be appointed with the approval of the Osage Tribal Council and without regard to the classification laws: *Provided,* That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary, except that tribal funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims shall not be further appropriated until a report of the purposes for which the funds are to be used has been submitted to the Senate and House Committees on Interior and Insular Affairs and those purposes either have been approved by resolution of each of said committees or have not been disapproved by resolution of either of said committees within sixty calendar days from the date the report is submitted, not counting days on which either House is not in session because of an adjournment of more than three calendar days to a day certain: *Provided, however,* That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations,

Report to congressional committees.

Restriction.

if such acquisition results in the property being exempted from local taxation, except as provided for by the Act of July 24, 1956 (70 Stat. 627).

* * *

⊥OFFICE OF THE SOLICITOR ⊥107

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $4,000,000, and in addition, not to exceed $142,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided*, That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedures Act (60 Stat. 237), as amended. 5 U. S. C. 1001 note.

* * *

⊥TITLE II—RELATED AGENCIES ⊥108

* * *

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥111

PUBLIC HEALTH SERVICE

INDIAN HEALTH ACTIVITIES

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (68 Stat. 674), as amended; purchase of not to exceed sixty-nine passenger motor vehicles for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 301 (with respect to research conducted at facilities financed by this appropriation), 321, 322 (d), 324, and 509 of the Public Health Service Act; $58,960,750. 42 U. S. C. 2001 *et seq.* 58 Stat. 691 42 U. S. C. 241, 248, 249, 251, 227

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U. S. C. 2004a); $5,350,000, to remain available until expended. 73 Stat. 267.

* * *

INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $297,000, of which not to exceed $10,000 shall be available for expenses of travel. 60 Stat. 1049

* * *

⊥SMITHSONIAN INSTITUTION ⊥112

SALARIES AND EXPENSES

For all necessary expenses for the preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government and from other sources; for the system of international exchanges between the United States and foreign countries; for anthropological researches among the American Indians and the

natives of lands under the jurisdiction or protection of the United States, independently or in cooperation with State, educational, and scientific organizations in the United States, and the excavation and preservation of archeological remains; for maintenance of the Astrophysical Observatory and making necessary observations in high altitudes; for the administration of the National Collection of Fine Arts and the National Portrait Gallery; for the administration, construction, and maintenance of laboratory and other facilities on Barro Colorado Island, Canal Zone, under the provisions of the Act of July 2, 1940, as amended by the provisions of Reorganization Plan Numbered 3 of 1946; for the maintenance and administration of a national air museum as authorized by the Act of August 12, 1946 (20 U. S. C. 77); for expenses of the National Armed Forces Museum Advisory Board; including not to exceed $35,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); purchase, repair, and cleaning of uniforms for guards and elevator operators, and uniforms or allowances therefor, as authorized by law (5 U. S. C. 2131), for other employees; repairs and alterations of buildings and approaches; and preparation of manuscripts, drawings, and illustrations for publications; $13,124,000.

* * *

Approved, July 26, 1963.

PUBLIC LAW 88-112

September 6, 1963
[H. R. 5883]
77 Stat. 140

AN ACT

To correct a land description in the Act entitled "To provide for an exchange of lands between the United States and the Southern Ute Indian Tribe, and for other purposes".

Indians
Southern Ute Tribe.
Exchange of land

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 1 (a) of the Act of October 15, 1962 (Public Law 87-828; 76 Stat. 954), is amended by deleting the comma after "Section 9: West half".

Approved, September 6, 1963.

PUBLIC LAW 88-116

September 6, 1963
[H. R. 6710]
77 Stat. 151

AN ACT

To approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes.

Wind River, Wyo.
Irrigation project.
Cancellation of charges.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with the provision of the Act of June 22, 1936 (49 Stat. 1803, 25 U. S. C. 389-389e), the order of the Secretary of the Interior canceling delinquent operation and maintenance irrigation charges in the amount of $1,134.99, which includes both principal and accrued interest thereon, against lands on the Wind River Indian irrigation project, Wyoming, described as the northwest quarter northwest quarter, southwest quarter northwest quarter of section 9, township 1 south, range 4 east, Wind River meridian, and a contract for the deferred payment of delinquent charges in the amount of $2,331.59, are hereby approved.

Approved, September 6, 1963.

PUBLIC LAW 88-159

October 28, 1963
[H. R. 641]
77 Stat. 278

AN ACT

To approve an order of the Secretary of the Interior canceling and deferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian irrigation project, Washington, and for other purposes.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That, in accordance with the Act of June 22, 1936 (49 Stat. 1803; 25 U. S. C. 389–389e), the order of the Secretary of the Interior dated September 12, 1962, canceling $4,494.58 of delinquent irrigation charges, providing for the deferred payment of $10,356.03, and providing for the removal of 78.12 acres of assessable land from the Wapato Indian irrigation project, is hereby approved.

Wapato Indian irrigation project

Approved, October 28, 1963.

PUBLIC LAW 88–166

AN ACT

November 4, 1963
[H. R. 844]
77 Stat. 300

To declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to approximately 5,422.68 acres of land in South Dakota that have been used for the benefit of the Oglala Community School and have been determined excess to the needs of the Bureau of Indian Affairs, together with the improvements thereon, are hereby declared to be held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation. Such land is described as follows:

Indians.
Oglala Sioux Tribe.
Land in trust

(a) 1,040 acres; northeast quarter section 15; west half section 16; south half and the northeast quarter and the south half northwest quarter section 17, township 35 north, range 43 west, sixth principal meridian.

(b) 180.47 acres; lots 1, 2, 3, and 4, section 20, and lot 4, section 21, township 35 north, range 43 west, sixth principal meridian.

(c) 80 acres; south half northeast quarter section 15, township 35 north, range 44 west, sixth principal meridian.

(d) 36.32 acres; lot 3, section 21, township 35 north, range 43 west, sixth principal meridian.

(e) 602.57 acres; lots 1, 2, 3, and 4, east half west half, southeast quarter section 18; lots 1, 2, 3, and 4, section 19, township 35 north, range 43 west, sixth principal meridian.

(f) 683.81 acres; south half, northeast quarter section 13; lots 1 and 2, section 23; lots 1, 2, 3, and 4, section 24, township 35 north, range 44 west, sixth principal meridian.

(g) 960 acres; all section 8; southwest quarter section 9, north half northwest quarter section 17, east half northeast quarter section 18, township 35 north, range 43 west, sixth principal meridian.

(h) 266.79 acres; southwest quarter northwest quarter, west half southwest quarter section 14, east half southeast quarter, section 15; lot 1 section 22; lot 4 section 23, township 35 north, range 44 west, sixth principal meridian.

(i) 760 acres; east half section 10; west half section 11; northwest quarter northwest quarter section 14; north half northeast quarter section 15, township 35 north, range 44 west, sixth principal meridian.

(j) 153.62 acres; east half southwest quarter, southeast quarter northwest quarter section 14, lot 3, section 23, township 35 north, range 44 west, sixth principal meridian.

(k) 160 acres; southeast quarter section 14, township 35 north, range 44 west, sixth principal meridian.

(l) 339.10 acres; east half northwest, east half southwest, west half southeast, section 15, lots 2, 3, and 4, section 22, township 35 north, range 44 west, sixth principal meridian.

(m) 160 acres; southwest quarter, section 17, township 35 north, range 41 west, sixth principal meridian.

SEC. 2. The Indian Claims Commission is directed to determine in

25 U. S. C. 70a

accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

Approved, November 4, 1963.

PUBLIC LAW 88-167

AN ACT

November 4, 1963
[H. R. 2635]
77 Stat. 301

To amend the Act of August 9, 1955, for the purpose of including the Fort Mojave Indian Reservation among reservations excepted from the twenty-five year lease limitations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U. S. C. 415), is hereby further amended by inserting the words "the Fort Mojave Reservation," after the words "the Southern Ute Reservation,".

77 Stat. 597

Approved, November 4, 1963.

PUBLIC LAW 88-168

AN ACT

November 4, 1963
[H. R. 3306]
77 Stat. 301

To establish a revolving fund from which the Secretary of the Interior may make loans to finance the procurement of expert assistance by Indian tribes in cases before the Indian Claims Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $900,000 for the establishment of a revolving fund from which the Secretary of the Interior may make loans to Indian tribes and bands and to other identifiable groups of American Indians residing within the territorial limits of the United States for use by them in obtaining expert assistance, other than the assistance of counsel, for the preparation and trial of claims pending before the Indian Claims Commission.

Indians.
Revolving fund, establishment

SEC. 2. No loan shall be made under this Act to a tribe, band, or group if it has funds available on deposit in the Federal Treasury or elsewhere in an amount adequate to obtain the expert assistance it needs or if, in the opinion of the Secretary, the fees to be paid the experts are unreasonable in light of the services to be performed by them.

Report to congressional committees

SEC. 3. Every loan made under this Act shall be reported to the Committees on Interior and Insular Affairs of the Senate and House of Representatives within fifteen days of the time it is made.

SEC. 4. Any loan made under this Act shall bear interest and shall, together with such interest, be repayable out of the proceeds of any judgment recovered by the tribe, band, or group on its claim against the United States. If no judgment is recovered or if the amount of the judgment recovered is inadequate to repay the loan and interest thereon, the unpaid amount may be declared nonrepayable by the Secretary.

SEC. 5. Repayments of loans made under this Act and of interest thereon shall be credited to the revolving fund established under the first section of this Act.

SEC. 6. No liability shall attach to the United States because of a failure to make a loan in the amount requested.

SEC. 7. After the date of the approval of this Act, the Secretary of the Interior shall approve no contract which makes the compensation payable to a witness before the Indian Claims Commission contingent upon the recovery of a judgment against the United States.

Approved, November 4, 1963.

PUBLIC LAW 88-169

AN ACT

November 4, 1963
[H. R. 845]
77 Stat. 302

To declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation.

Indians.
Oglala Sioux Tribe.
Lands in trust

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the land described herein and heretofore used as a site for the Wakpamni Lake Day School on the Pine Ridge Reservation in South Dakota which has been determined excess to the needs of the Bureau of Indian Affairs, together with the improvements thereon, are hereby declared to be held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation. The land is described as the east half northeast quarter northeast quarter, section 9 and the west half northwest quarter northwest quarter, section 10, township 35 north, range 41 west, sixth principal meridian, South Dakota.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

25 U. S. C. 70a

Approved, November 4, 1963.

PUBLIC LAW 88-182

AN ACT

November 20, 1963
[S. 912]
77 Stat. 337

Approving a compromise and settlement agreement of the Navajo Tribe of Indians and authorizing the tribe to execute and the Secretary of the Interior to approve any oil and gas leases entered into pursuant to the agreement.

Indians.
Navajo Tribe, oil and gas leases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the agreement entered into by the Navajo Indian Tribe, Shell Oil Company (a corporation), and Humble Oil & Refining Company (a corporation), dated May 1, 1959, as amended by subsequent agreements dated September 14, 1960, November 7, 1962, and January 7, 1963, respectively, and on file with the Secretary of the Interior, is hereby approved, such agreement having been entered into for the purpose of compromising and settling, among such tribe and corporations, certain matters arising out of disputed title claims between the Navajo Indian Tribe and the State of Utah to the oil and gas rights in section 16, township 40 south, range 24 east, Salt Lake meridian, and in section 16, township 40 south, range 26 east, Salt Lake meridian, both in San Juan County, Utah.

SEC. 2. Notwithstanding any other provision of law, the Navajo Tribe of Indians is hereby authorized to lease, in accordance with the undertakings of such tribe in the aforementioned agreement, as amended, any interests which it might have or hereafter acquire in those lands described in the first section of this Act, and the Secretary of the Interior shall approve any lease so made.

SEC. 3. Nothing in this Act is intended or shall be construed as a finding, interpretation, or construction by the Congress of the validity or invalidity of the respective claims of the Navajo Indian Tribe and the State of Utah to the lands described in the first section of this Act, and the determination of such conflicting claims shall be unaffected by anything in this Act.

Approved, November 20, 1963.

December 11, 1963
[H. R. 2905]
77 Stat. 347

PUBLIC LAW 88-194

AN ACT

To donate to the Devils Lake Sioux Tribe of the Fort Totten Indian Reservation, North Dakota, approximately two hundred seventy-five and seventy-four one-hundredths acres of federally owned land.

Indians.
Devils Lake Sioux Tribe.
Lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the real property described below, and the improvements thereon, located within the Fort Totten Indian Reservation, North Dakota, are hereby declared to be held in trust by the United States for the use and benefit of the members of the Devils Lake Sioux Tribe of the Fort Totten Indian Reservation, North Dakota, subject to existing valid rights-of-way: Lot 1, section 16; lots 6, 7, 8, 9, 10, southwest quarter northeast quarter northeast quarter, southeast quarter northeast quarter, section 17; the west two hundred and twenty feet of the north 1,255.3 feet of lot 2, section 16; the north 38.13 acres of lot 2, section 17, and the north 11.46 acres of lot 3, section 17, these parcels being that portion of the west two hundred and twenty feet of lot 2, section 16 and those portions of lots 2 and 3, section 17, not embraced in Devils Lake Sioux Allotment Numbered 585 of Jesse G. Palmer for which Patent Numbered 412546 was issued to Frank Palmer, heir of Jesse G. Palmer, on June 10, 1914, all of said lands being situated in township 152 north, range 65 west, fifth principal meridian, Benson County, North Dakota, containing 275.74 acres more or less.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

25 U. S. C. 70a

Approved, December 11, 1963.

December 11, 1963
[H. R. 2467]
77 Stat. 349

PUBLIC LAW 88-196

AN ACT

To authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota.

Rosebud Sioux Indian Reservation, S. Dak.
Lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, upon request of the Rosebud Sioux Tribe, South Dakota, acting through its governing body, the Secretary of the Interior is authorized to exchange or to sell, by public or by negotiated sale, the tribal interests in isolated tracts of land located in Tripp, Gregory, and Lyman Counties, South Dakota, and held by the United States in trust for the tribe: *Provided,* (1) That the Secretary of the Interior certifies that the tract is isolated in that it is so located or situated that it would be to the economic advantage of the tribe to sell or exchange the tract; (2) that the amount or exchange value received by the tribe is not less than the fair market value of the tribal trust land and is accepted by the tribe; (3) that any proceeds from the sale of land under this Act are used exclusively for the purchase of land on the reservation within land consolidation areas approved by the Secretary of the Interior; (4) that title to any land acquired for the tribe under this Act by purchase or exchange shall be taken in the name of the United States in trust for the tribe; (5) that if lands in an exchange are not of equal value the difference in value may be paid in money; and (6) that if an enrolled member of the Rosebud Sioux Tribe acquires the tribal trust land, title may be taken in the name of the United States in trust.

SEC. 2. Upon request of the Rosebud Sioux Tribe, South Dakota,

acting through its governing body, the Secretary of the Interior is authorized to mortgage tribal interests in isolated tracts of land, in lieu of selling or exchanging them, and the proceeds of the loan secured by the mortgage must be used exclusively for the acquisition of land on the reservation within land consolidation areas approved by the Secretary of the Interior, title to the land acquired being taken in the name of the United States in trust for the tribe.

Approved, December 11, 1963.

PUBLIC LAW 88-221

AN ACT

December 21, 1963
[H. R. 7601]
77 Stat. 466

For the relief of the city of Winslow, Arizona.

Winslow, Arizona
Claims settlement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to pay $15,868.07 to the city of Winslow, Arizona, in full settlement of all claims against the United States for the Government's fair share of the costs for paving the streets adjacent to the United States property known as the Winslow Dormitory which is a facility for reservation Indian children operated by the Department of the Interior, Bureau of Indian Affairs. The payment shall be made out of funds available to the Bureau of Indian Affairs for the construction of roads.

No part of the payment provided for in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any amount not exceeding $1,000.

Approved, December 21, 1963.

PUBLIC LAW 88-230

AN ACT

December 23, 1963
[S. 1868]
77 Stat. 471

To amend the Act of August 3, 1956 (70 Stat. 986), as amended, relating to adult Indian vocational training.

Indians.
Vocational training

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act relating to employment for certain adult Indians on or near Indian reservations", approved August 3, 1956 (70 Stat. 986; 25 U. S. C. 309), is amended (1) by inserting in the first sentence thereof immediately after "twenty-four months," the following: "and, for nurses' training, for periods that do not exceed thirty-six months," and (2) by striking out the period at the end of the last sentence in such section and inserting in lieu thereof a comma and the following: "or with any school of nursing offering a three-year course of study leading to a diploma in nursing which is accredited by a recognized body or bodies approved for such purpose by the Secretary.".

(b) Section 2 of said Act of August 3, 1956, as amended, is further amended to read as follows:

75 Stat. 571
25 U. S. C. 309a

"SEC. 2. There is authorized to be appropriated for the purposes of this Act the sum of $12,000,000 for each fiscal year, and not to exceed $1,500,000 of such sum shall be available for administrative purposes."

Approved, December 23, 1963.

PUBLIC LAW 88-231

AN ACT

December 23, 1963
[S. 2139]
77 Stat. 472

To provide for the disposition of the judgment funds on deposit to the credit of the Kootenai Tribe or Band of Indians, Idaho.

Indians
Kootenai Tribe.
Judgment funds

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Kootenai Tribe or Band of Indians of the State of Idaho that were appropriated by the Act of September 8, 1960 (74 Stat. 830), to pay a judgement by the Indian Claims Commission in docket 154, and the interest thereon, may be advanced or expended for any purpose that is authorized by the tribal governing body and by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to the Federal or State income tax.

Approved, December 23, 1963.

PUBLIC LAWS OF THE EIGHTY-EIGHTH CONGRESS, SECOND SESSION, 1964

PUBLIC LAW 88-293

March 26, 1964
[S. 614]
78 Stat. 171

AN ACT

To authorize the Secretary of the Interior to make water available for a permanent pool for fish and wildlife and recreation purposes at Cochiti Reservoir from the San Juan-Chama unit of the Colorado River storage project.

Cochiti Reservoir.
Water for recreational purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso to subdivision (e) of the conditions applicable to the project for improvement of the Rio Grande Basin authorized by section 203 of the Flood Control Act of 1960 (Public Law 86-645; 74 Stat. 493), is hereby supplemented to authorize, for conservation and development of fish and wildlife resources and for recreation, approximately fifty thousand acre-feet of water for the initial filling of a permanent pool of one thousand two hundred surface acres in Cochiti Reservoir, and thereafter sufficent water annually to offset the evaporation from such area, to be made available by the Secretary of the Interior from water diverted into the Rio Grande Basin by the works authorized by section 8 of the Act of June 13, 1962 (Public Law 87-483, 76 Stat. 97), subject to the conditions specified in sections 8, 12, 13, 14, and 16 of said Act. An appropriate share of the costs of said works shall be reallo-⊥cated to recreation and fish and wildlife, and said allocation, which shall not exceed $3,000,000, shall be nonreimbursable and nonreturnable.

43 U. S. C. 615pp, 615tt-615vv, 615xx.

1172

SEC. 2. Nothing contained in this Act shall be construed to increase the amount heretofore authorized to be appropriated for construction of the Colorado River storage project or any of its units.

Approved, March 26, 1964.

PUBLIC LAW 88-301

April 30, 1964
[S. 1565]
78 Stat. 186

AN ACT

To amend the Act of June 25, 1910 (36 Stat. 857; 25 U. S. C. 406, 407), with respect to the sale of Indian timber.

Indians, sale of timber.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 7 and 8 of the Act of June 25, 1910 (36 Stat. 857; 25 U. S. C. 406, 407), are amended to read as follows:

Unallotted lands.

"SEC. 7. The timber on unallotted lands of any Indian reservation may be sold in accordance with the principles of sustained yield, or in order to convert the land to a more desirable use, under regulations to be prescribed by the Secretary of the Interior, and the proceeds ⊥from such sales, after deductions for administrative expenses pursuant to the Act of February 14, 1920, as amended (25 U. S. C. 413), shall be used for the benefit of the Indians who are members of the tribe or tribes concerned in such manner as he may direct.

1187

47 Stat. 1417.

Allotments held under trust.

"SEC. 8. (a) The timber on any Indian land held under a trust or

other patent containing restrictions on alienations may be sold by the owner or owners with the consent of the Secretary of the Interior, and the proceeds from such sales, after deductions for administrative expenses to the extent permissible under the Act of February 14, 1920, as amended (25 U. S. C. 413), shall be paid to the owner or owners or disposed of for their benefit under regulations to be prescribed by the Secretary of the Interior. It is the intention of Congress that a deduction for administrative expenses may be made in any case unless the deduction would violate a treaty obligation or amount to a taking of private property for public use without just compensation in violation of the fifth amendment to the Constitution. Sales of timber under this subsection shall be based upon a consideration of the needs and best interests of the Indian owner and his heirs. The Secretary shall take into consideration, among other things, (1) the state of growth of the timber and the need for maintaining the productive capacity of the land for the benefit of the owner and his heirs, (2) the highest and best use of the land, including the advisability and practicality of devoting it to other uses for the benefit of the owner and his heirs, and (3) the present and future financial needs of the owner and his heirs.

Deductions for administrative expenses.

"(b) Upon the request of the owners of a majority Indian interest in land in which any undivided interest is held under a trust or other patent containing restrictions on alienations, the Secretary of the Interior is authorized to sell all undivided Indian trust or restricted interests in any part of the timber on such land.

Undivided interests.

"(c) Upon the request of the owner of an undivided but unrestricted interest in land in which there are trust or restricted Indian interests, the Secretary of the Interior is authorized to include such unrestricted interest in a sale of the trust or restricted Indian interests in timber sold pursuant to this section, and to perform any functions required of him by the contract of sale for both the restricted and the unrestricted interests, including the collection and disbursement of payments for timber and the deduction from such payments of sums in lieu of administrative expenses.

Unrestricted interests.

"(d) For the purposes of this Act, the Secretary of the Interior is authorized to represent any Indian owner (1) who is a minor, (2) who has been adjudicated non compos mentis, (3) whose ownership interest in a decedent's estate has not been determined, or (4) who cannot be located by the Secretary after a reasonable and diligent search and the giving of notice by publication.

Representation of minors and others.

"(e) The timber on any Indian land held under a trust or other patent containing restrictions on alienations may be sold by the Secretary of the Interior without the consent of the owners when in his judgment such action is necessary to prevent loss of values resulting from fire, insects, disease, windthrow, or other natural catastrophes.

Emergency sales

"(f) A change from a trust or restricted status to an unrestricted status of any interest in timber that has been sold pursuant to this section shall not affect the obligations of the Secretary of the Interior under any contract of sale that is in effect at the time such change in status occurs."

Change in status

Approved, April 30, 1964.

PUBLIC LAW 88-302

AN ACT

April 30, 1964
[S. 2111]

78 Stat. 188

To fix the beneficial ownership of the Colorado River Indian Reservation located in the States of Arizona and California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose

Colorado River Indian Reservation.

Real property
Fixing of ownership

of fixing the beneficial ownership of real property interests in the Colorado River Reservation now occupied by the Colorado River Indian Tribes, its members, and certain Indian colonists, all right, title, and interest of the United States in the unallotted lands of the Colorado River Reservation, including water rights and mineral rights therein, together with all improvements located thereon and appurtenant thereto, except improvements placed on the land by assignees or by Indian colonists, and except improvements furnished by the United States for administrative purposes (including irrigation facilities) or for the housing of Federal employees, are hereby declared to be tribal property held in trust by the United States for the use and benefit of the Colorado River Indian Tribes of the Colorado River Reservation.

SEC. 2. For the purpose of this Act:

"Tribes."

(a) "Tribes" means the Colorado River Indian Tribes of the Colorado River Reservation, with a constitution adopted pursuant to the Indian Reorganization Act of June 18, 1934 (48 Stat. 984; 25 U. S. C. 461 et seq.), as said constitution now exists or may hereafter be amended, consisting of a band of the Mohave Indians, the band of Chemehuevi Indians affiliated therewith, and various Indians heretofore or hereafter adopted by the Colorado River Indian Tribes.

"Colorado River Reservation."

(b) "Colorado River Reservation" means the reservation for Indian use established by the Act of March 3, 1865 (13 Stat. 559), as modified and further defined by Executive orders of November 22, 1873, November 16, 1874, May 15, 1876, and November 22, 1915, all of which area shall be deemed to constitute said reservation.

Tribal membership.

SEC. 3. Any person of Indian blood, his spouse of Indian blood (excluding persons whose Indian blood is traceable solely to Indian tribes, bands, or groups not resident in or subject to the jurisdiction of the United States), and any dependent child of either or both of them, who is not a member of the tribes on the date of this Act, and who has settled on irrigated lands of the Colorado River Reservation through application for a settler's land permit and who is still holding such lands by virtue of the authority of a temporary land use permit issued by or under the authority of the tribes or the Federal Government, shall be deemed to be adopted by the tribes if within two years from the date of this Act he files with the tribal council a statement accepting membership in the tribes and renouncing membership in any other tribe, band, or group. Such statement may be filed on behalf of a dependent child by either parent or by a person standing in loco parentis.

Condition.

SEC. 4. This Act shall become effective upon the agreement of the tribes to abandon the claims now pending in docket numbered 185 and in docket numbered 283A before the Indian Claims Commission under

25 U. S. C. 70-70v.

the Act of August 13, 1946 (60 Stat. 1049), and the dismissal of said claims by the Indian Claims Commission. Nothing in this Act shall affect or be taken into consideration in the adjudication of, or with respect to, any other claims now pending by the tribes against the United States.

1189

⊥SEC. 5. The Act of June 11, 1960 (74 Stat. 199), as amended by the Act of September 5, 1962 (76 Stat. 428), is amended to read as follows:

Leases.
Approval

"The Secretary of the Interior is authorized to approve leases of lands on the Colorado River Indian Reservation, Arizona and California, for such uses and terms as are authorized by the Act of May 11, 1938 (52 Stat. 347; 25 U. S. C. 396a et seq.), and the Act of August 9, 1955 (69 Stat. 539), as amended (25 U. S. C. 415 et seq.) including the same uses and terms as are permitted thereby on the Agua Caliente (Palm Springs), Dania, Navajo, and Southern Ute Reservations: *Provided, however,* That the authorization herein granted to the Secretary of the Interior shall not extend to any lands lying west of the

Provisos.

present course of the Colorado River and south of section 25 of township 2 south, range 23 east, San Bernardino base and meridian in California, and shall not be construed to affect the resolution of any controversy over the location of the boundary of the Colorado River Reservation: *Provided further*, That any of the described lands in California shall be subject to the provisions of this Act when and if determined to be within the reservation."

Approved, April 30, 1964.

PUBLIC LAW 88-303

AN ACT

April 30, 1964
[S. 1931]
78 Stat. 189

To provide that the United States shall hold certain land in trust for the members of the Alamo Band of Puertocito Navajo Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) all right, title, and interest of the United States in and to those lands lying within the Alamo Navajo community area, New Mexico, more particularly described in subsection (b) of this section and the improvements thereon, are hereby declared to be held in trust by the United States for the use of the members of the Alamo Band of Puertocito Navajo Indians, subject to the right of the United States to use said lands and improvements located thereon for administrative purposes.

Puertocito Navajo Indians, Alamo Band. Land held in trust.

(b) Lot 3 and the southeast quarter northwest quarter of section 6, township 2 north, range 6 west, New Mexico principal meridian, and improvements located thereon.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

Offset claim.

25 U. S. C. 70a.

Approved, April 30, 1964.

PUBLIC LAW 88-304

AN ACT

April 30, 1964
[S. 2279]
78 Stat. 189

To authorize the transfer of the Piegan unit of the Blackfeet Indian irrigation project, Montana, to the landowners within the unit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to convey all of the right, title, and interest of the United States in the facilities of the Piegan unit of the Blackfeet Indian irrigation project, located in township 31 north, ranges 8 and 9 west, Montana principal meridian, including but not limited to easements, rights-of-way, canals, laterals, drains, structures ⊥of all kinds, and water rights held for the benefit of the unit, to an organization or association in form and powers satisfactory to the Secretary, representing the owners of the lands served by the unit: *Provided*, That as a condition to said conveyance, the grantee shall assume full and sole responsibility for the future care, operation, and maintenance of the unit, for which the United States shall have no further responsibility; and shall hold the United States free of all loss or liability for damages or injuries, direct or consequential, caused by the existence or operation of the unit or any of its features or structures, from and after the date of its conveyance.

Blackfeet Indian irrigation project, Montana. Conveyance

⊥190

Condition.

SEC. 2. Upon conveyance of the Piegan unit of the Blackfeet Indian irrigation project as provided for in section 1 of this Act, the Secretary is authorized to cancel all accrued operation and maintenance charges and all construction charges with respect to the said unit.

Cancellation of certain charges.

Approved, April 30, 1964.

PUBLIC LAW 88-317

June 9, 1964
[H. R. 11201]
78 Stat. 204

AN ACT

Making deficiency appropriations for the fiscal year ending June 30, 1964, and for other purposes.

Deficiency Appropriation Act, 1964

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply deficiency appropriations (this Act may be cited as the "Deficiency Appropriation Act, 1964") for the fiscal year ending June 30, 1964, and for other purposes, namely:

* * *

1207 ⊥ CHAPTER V

* * *

DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

RESOURCES MANAGEMENT

For an additional amount for "Resources management," $500,000, of which $60,000 shall be derived by transfer from the appropriation for "Management and investigations of resources, Bureau of Sport Fisheries and Wildlife", fiscal year 1964.

CONSTRUCTION

For an additional amount for "Construction", $1,000,000, to remain available until expended.

* * *

1209 ⊥ CHAPTER VI

* * *

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PUBLIC HEALTH SERVICE

For additional amounts for appropriations of the Public Health Service as follows, to be derived by transfers from the appropriation for "National Heart Institute", fiscal year 1964:

* * *

1210 ⊥ "Indian health activities", $737,000;

* * *

Approved, June 9, 1964.

PUBLIC LAW 88-352

July 2, 1964
[H. R. 7152]
78 Stat. 241

AN ACT

To enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Civil Rights Act of 1964.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Civil Rights Act of 1964".

* * *

⊥TITLE VII—EQUAL EMPLOYMENT OPPORTUNITY ⊥253

DEFINITIONS

SEC. 701. For the purposes of this title—

* * *

(b) The term "employer" means a person engaged in an industry affecting commerce who has twenty-five or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year, and any agent of such a person, but such term does not include (1) the United States, a corporation wholly owned by the Government of the United States, an Indian tribe, or a State or political subdivision thereof, (2) a bona fide private membership club (other than a labor organization) which is exempt from taxation under section 501 (c) of the Internal Revenue Code of 1954: *Provided*, That during the first year after the effective date prescribed in subsection (a) of section 716, persons having fewer than one hun- ⊥dred employees (and their agents) shall not be considered employers, and, during the second year after such date, persons having fewer than seventy-five employees (and their agents) shall not be considered employers, and, during the third year after such date, persons having fewer than fifty employees (and their agents) shall not be considered employers: *Provided further*, That it shall be the policy of the United States to insure equal employment opportunities for Federal employees without discrimination because of race, color, religion, sex or national origin and the President shall utilize his existing authority to effectuate this policy.

"Employer."

68A Stat. 163, 74 Stat. 534; 26 U.S.C. 501

⊥254

* * *

⊥DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION, SEX, OR NATIONAL ORIGIN ⊥255

SEC. 703.

* * *

⊥(i) Nothing contained in this title shall apply to any business or enterprise on or near an Indian reservation with respect to any publicly announced employment practice of such business or enterprise under which a preferential treatment is given to any individual because he is an Indian living on or near a reservation.

⊥257 Indians

* * *

Approved, July 2, 1964.

PUBLIC LAW 88-356

AN ACT

July 7, 1964 {H. R. 10433}

78 Stat. 273

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1965, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1965, and for other purposes, namely:

Department of the Interior and Related Agencies Appropriation Act, 1965

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

⊥BUREAU OF INDIAN AFFAIRS ⊥274

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other

organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops and museums; $95,868,500.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts, as authorized by law; $40,390,000.

REVOLVING FUND FOR LOANS

[1275] For payment to the revolving fund for loans, for loans as authorized by Public Law 88-168, approved November 4, 1963, $900,000, to be immediately available.

77 Stat. 301.
25 U. S. C. 70n-1 to 70n-7.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; $52,009,000, to remain available until expended: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations: *Provided further*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, $17,000,000, to remain available until expended.

72 Stat. 906; 76 Stat. 1147.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $4,331,000.

MENOMINEE EDUCATIONAL GRANTS

For grants to the State of Wisconsin or the County or Town of Menominee for school district costs, as authorized by the Act of April 4, 1962 (76 Stat. 53), $88,000.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and

private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash ⊥grants; and employment ⊥276
of a curator for the Osage Museum, who shall be appointed with the approval of the Osage Tribal Council and without regard to the classification laws: *Provided,* That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided further,* That funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims shall not be available for advances, except for such amounts as may be necessary to pay attorney fees, expenses of litigation, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds will be used: *Provided, however,* That no part of this appropriation or other Restriction
tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation, except as provided for by the Act of July 24, 1956 (70 Stat. 627).

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed two hundred and twenty passenger motor vehicles (including seventy-five for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year), of which one hundred and seventy-five shall be for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), the Act of August 3, 1956 (70 Stat. 986), 49 Stat. 1458
and legislation terminating Federal supervision over certain Indian 25 U. S. C. 309, 309a
tribes; and expenses required by continuing or permanent treaty provisions.

* * *

⊥OFFICE OF THE SOLICITOR ⊥284

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $4,223,000, and in addition, not to exceed $142,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided,* That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedures Act (60 Stat. 237), as amended. 5 U. S. C. 1001 note.

* * *

⊥TITLE II—RELATED AGENCIES ⊥285

* * *

1287

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PUBLIC HEALTH SERVICE

INDIAN HEALTH ACTIVITIES

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (68 Stat. 674), as amended; purchase of not to exceed thirty-three passenger motor vehicles for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in section 301 (with respect to research conducted at facilities financed by this appropriation), 321, 322(d), 324, and 509 of the Public Health Service Act; $61,620,000.

42 U. S. C. 2001 *et seq.*

58 Stat. 691.
42 U. S. C. 241, 248, 249, 251, 227.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U. S. C. 2004a); $8,335,000, to remain available until expended.

73 Stat. 267.

* * *

1288

INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $310,000, of which not to exceed $10,000 shall be available for expenses of travel.

60 Stat. 1049.

* * *

Approved, July 7, 1964.

PUBLIC LAW 88-412

August 10, 1964
[H. R. 10973]
78 Stat. 387

AN ACT

To provide for the disposition of judgment funds on deposit to the credit of the Lower Pend D'Oreille or Kalispel Tribe of Indians.

Kalispel Indians.
Payment of credited funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Lower Pend D'Oreille or Kalispel Tribe of Indians that were appropriated by the Act of May 17, 1963 (Public Law 88-25; 77 Stat. 20, 43), to pay a judgment by the Indian Claims Commission in docket 94, and the interest thereon, less payment of attorneys' fees and expenses, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed to the members of the tribe shall not be subject to the Federal or State income tax.

Approved, August 10, 1964.

PUBLIC LAW 88-413

August 10, 1964
[H. R. 10483]
78 Stat. 387

AN ACT

To authorize the sale of 58.19 acres of Eastern Shawnee tribal land in Oklahoma.

Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon request of

Eastern Shawnee Tribe

the Eastern Shawnee Tribe of Oklahoma, acting through its official governing body, the Secretary of the Interior is hereby authorized to sell all of the right, title, and interest of the United States and the Eastern Shawnee Tribe of Oklahoma in lots 1 and 2, section 9, township 27 north, range 25 east, Indian meridian, Ottawa County, Oklahoma, comprising 58.19 acres, said land to be sold on terms satisfactory to the tribe and the Secretary of the Interior at not less than its appraised value, as determined by the Secretary. The proceeds of the sale shall be deposited in the Treasury of the United States to the credit of the Eastern Shawnee Tribe of Oklahoma.

Approved, August 10, 1964.

PUBLIC LAW 88-418

AN ACT

August 11, 1964
[H. R. 2977]
78 Stat. 389

To authorize the sale of certain lands of the Cheyenne River Sioux Tribe.

Indians.
Cheyenne River Sioux Tribe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, but subject to the provisions of the Cheyenne River Sioux tribal constitution and the ordinances and resolutions adopted thereunder, any of the real property of the Cheyenne River Sioux Tribe located outside the boundaries of the Cheyenne River Reservation in Stanley, Haakon, Pennington, and Meade Counties, South Dakota, and any isolated tracts that are located within the boundaries of the reservation but outside the boundaries of land consolidation areas and are not needed for Indian use, may be sold in appropriate units, after competitive bidding, to the highest bidder therefor. No such sale shall be at a price less than the fair market value of such property, as determined by the Secretary of the Interior. Any such sale shall be subject to such terms and conditions as may be prescribed by the Secretary of the Interior.

Disposal of funds

SEC. 2. All funds derived from the sale of real property authorized by the first section of this Act shall be placed by the Secretary of the Interior in a special account in the Treasury and shall be used only for the purchase of real property within the boundaries of the Cheyenne River Reservation. Any real property purchased with such funds shall be held by the United States in trust for the Cheyenne River Sioux Tribe.

SEC. 3. Any tribal land that may be sold pursuant to section 1 of this Act may, with the approval of the Secretary of the Interior, be encumbered by a mortgage or deed of trust, and shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of the State in which the land is located. The United States shall be an indispensable party to any such proceeding with the right of removal of the cause to the United States district court for the district in which the land is located, following the procedure in 28 U. S. C. 1446: *Provided,* That the United States shall have the right to appeal from any order of remand in the case.

62 Stat. 939

Approved, August 11, 1964.

PUBLIC LAW 88-419

AN ACT

August 11, 1964
[H. R. 7833]
78 Stat. 390

To amend the Act entitled "An Act to provide for the distribution of the land and assets of certain Indian rancherias and reservations in California, and for other purposes", approved August 18, 1958 (72 Stat. 619).

Indian rancherias.
Land distribution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act to provide for the distribution of the land and assets of certain Indian rancherias and reservations in California, and for other purposes," approved August 18, 1958 (72 Stat.

619), is amended to read as follows: "the lands, including minerals, water rights, and improvements located on the lands, and other assets of the rancherias and reservations lying wholly within the State of California shall be distributed in accordance with the provisions of this Act when such distribution is requested by a majority vote of the adult Indians of a rancheria or reservation or of the adult Indians who hold formal or informal assignments on the rancheria or reservation, as determined by the Secretary of the Interior. The requirement for a majority vote shall not apply to the rancherias and reservations that were at any time named in this section."

Distribution of assets

(b) Section 2(a) of such Act is amended by deleting "The Indians who hold formal or informal assignments on each reservation or rancheria, or the Indians of such reservation or rancheria, or the Secretary of the Interior after consultation with such Indians," and by substituting "When the Indians of a rancheria or reservation request a distribution of assets in accordance with the provisions of this Act, they, or the Secretary of the Interior after consultation with them,".

(c) Section 2(a) of such Act is further amended by changing the period at the end of the first sentence to a colon and adding: "*Provided*, That the provisions of this section with respect to a request for distribution of assets shall not apply to any case in which the requirement for such request is waived by section 1 of this Act, and in any such case the plan shall be prepared as though request therefor had been made."

(d) Section 2(b) of such Act is amended by changing the period at the end of the penultimate sentence to a colon and adding: "*Provided*, That the provisions of such plan may be modified with the approval of the Secretary and consent of the majority of the distributees."

Sanitation and irrigation facilities

(e) Section 3(c) of such Act is amended to read as follows:

"(c) To construct, improve, install, extend, or otherwise provide, by contract or otherwise, sanitation facilities (including domestic and community water supplies and facilities, drainage facilities, and sewage- and waste-disposal facilities, together with necessary appurtenances and fixtures) and irrigation facilities for Indian homes, communities, and lands, as he and the Indians agree, within a reasonable time, should be completed by the United States: *Provided*, That with respect to sanitation facilities, as hereinbefore described, the functions specified in this paragraph, including agreements with Indians with respect to such facilities, shall be performed by the Secretary of Health, Education, and Welfare in accordance with the provisions of section 7 of the Act of August 4, 1954 (58 Stat. 674), as amended (42 U. S. C. 2004a)."

68 Stat. 674; 73 Stat. 267.

(f) Section 3(e) of such Act is amended by deleting the word "non-Indian".

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⊥(g) Section 5 of such Act is amended by adding a new subsection as follows:

Unoccupied lands, Sale

"(d) Any rancheria or reservation lying wholly within the State of California that is held by the United States for the use of Indians of California and that was not occupied on January 1, 1964, by Indians under a formal or informal assignment shall be sold by the Secretary of the Interior and the proceeds of the sale shall be deposited in the Treasury of the United States to the credit of the Indians of California. Any rancheria or reservation lying wholly within the State of California that is held by the United States for a named tribe, band, or group that was not occupied on January 1, 1964, may be sold by the Secretary of the Interior and the proceeds shall be deposited to the credit of the tribe, band, or group."

(h) Section 10(b) of such Act is amended (1) by inserting after the words "their immediate families" the words "who are not members of any other tribe or band of Indians", (2) by inserting after "because of their status as Indians", the words "all restrictions and tax exemp-

tions applicable to trust or restricted land or interests therein owned by them are terminated,", and (3) by adding at the end of section 10(b) the following sentence: "The provisions of this subsection, as amended, shall apply in the case of a distribution of assets made either before or after the amendment of the subsection."

(i) Section 11 of such Act is amended by inserting immediately after the words "as amended," the words "or any other authority,".

(j) Section 13 of such Act is amended by deleting "not to exceed $509,235" and by substituting "such sums as may be necessary".

Approved, August 11, 1964.

PUBLIC LAW 88-421

AN ACT

August 11, 1964
[H. R. 7215]
78 Stat. 392

To direct the Secretary of the Interior to convey certain lands to the Citizen Band of Potawatomi Indians and certain other lands to the Absentee-Shawnee Tribe of Indians, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to valid existing rights, the Secretary of the Interior is authorized and directed to convey to the Citizen Band of Potawatomi Indians of Oklahoma all right, title, and interest of the United States in and to the following described lands of the Shawnee Indian School and Agency Reserve, including reversionary rights and retained mineral interests under existing grants, together with all improvements located thereon:

Citizen Band of Potawatomi Indians. Conveyance.

TRACT NUMBERED 1

Northeast quarter northeast quarter, southeast quarter northeast quarter, southwest quarter northeast quarter section 31, township 10 north, range 4 east, Indian meridian, Pottawatomie County, Oklahoma, containing 120.00 acres, more or less.

TRACT NUMBERED 2

That part of the northwest quarter southeast quarter section 31, township 10 north, range 4 east, Indian meridian, Pottawatomie County, Oklahoma, described as: Beginning at the southwest corner of said northwest quarter southeast quarter; thence east 1,320 feet; thence north 1,320 feet; thence west 1,320 feet to the center of said section; thence south 167 feet; thence east 183 feet to the intersection with the west line of the Atchison, Topeka, and Santa Fe Railroad right-of-way; thence southwesterly along the west right-of-way line a distance of 856 feet to the intersection with a point in the west line of the northwest quarter southeast quarter, said point being 983 feet south of the center of section 31; thence south along the west line of the northwest quarter southeast quarter, a distance of 337 feet, to the point of beginning; containing 38.29 acres, more or less.

TRACT NUMBERED 3

That part of the southeast quarter northwest quarter section 31, township 10 north, range 4 east, Indian meridian, Pottawatomie County, Oklahoma, described as: Beginning at the northeast corner of said southeast quarter northwest quarter; thence south 1,320 feet to the center of said section 31; thence west along the south line of said southeast quarter northwest quarter, a distance of 1,255.4 feet to the intersection with the centerline of Oklahoma State Highway Numbered 18; thence northwesterly along the centerline of the highway a distance of 660.58 feet to a point on the south line of the northwest quarter southeast quarter northwest quarter; thence east 38 feet to the intersection with the east right-of-way line of Oklahoma State Highway Numbered 18; thence northwesterly along the east right-of-

way line to a point in the north line of said southeast quarter northwest quarter, said point being 58 feet east of the northwest corner of said southeast quarter northwest quarter; thence east a distance of 1,262 feet to the point of beginning; containing 38.63 acres, more or less.

1393

⊥TRACT NUMBERED 4

That part of the northeast quarter southwest quarter section 31, township 10 north, range 4 east, Indian meridian, Pottawatomie County, Oklahoma, described as: Beginning at the northeast corner of said northeast quarter southwest quarter, said point being the center of section 31; thence south 167 feet; thence west 1,302 feet to the intersection with the west line of the right-of-way of Oklahoma State Highway Numbered 18; thence northeasterly along the west right-of-way line a distance of 167 feet to the north line of said northeast quarter southwest quarter; thence east along said north line a distance of 1,297.4 feet to the point of beginning; containing 4.678 acres, more or less.

TRACT NUMBERED 5

That part of the northeast quarter southwest quarter section 31, township 10 north, range 4 east, Indian meridian, Pottawatomie County, Oklahoma, described as: Beginning at the southeast corner of said northeast quarter southwest quarter; thence north along the east line of said northeast quarter southwest quarter a distance of 337 feet to the intersection with the west right-of-way line of the Atchison, Topeka, and Santa Fe Railroad right-of-way; thence southwesterly along said west right-of-way line a distance of 367 feet to the intersection with the south line of said northeast quarter southwest quarter; thence east along the south line a distance of 129 feet to the point of beginning; containing .498 acre, more or less.

TRACT NUMBERED 6

The reserved mineral deposits, including the right to prospect for and remove the same, in and under lands described as the south half of lot 2 (southwest quarter northwest quarter), and that part of the southwest quarter southeast quarter northwest quarter lying west of the centerline of Oklahoma State Highway Numbered 18 and adjacent to the south half of said lot 2, all in section 31, township 10 north, range 4 east, Indian meridian, Pottawatomie County, Oklahoma, containing 19.87 acres, more or less, which lands were previously conveyed to Pottawatomie County, Oklahoma, by quitclaim deed dated December 17, 1959, pursuant to the Act of June 4, 1953 (67 Stat. 71; 25 U. S. C. 293a), said deed appearing of record in Pottawatomie County, Oklahoma, in deed book 174 at page 367 of the land records of said county.

67 Stat. 41

The title of the tribe to the lands hereinbefore described and the improvements thereon shall be subject to no exemption from taxation or restriction on use, management, or disposition because of Indian ownership.

Absentee-Shawnee Tribe
Conveyance

SEC. 2. Subject to valid existing rights, the Secretary of the Interior is authorized and directed to convey to the Absentee-Shawnee Tribe of Indians of Oklahoma all right, title, and interest of the United States in and to the following described lands of the Shawnee Indian School and Agency Reserve, including reversionary rights and retained mineral interests under existing grants, together with all improvements located thereon:

TRACT NUMBERED 7

That part of the northeast quarter southwest quarter section 31,

township 10 north, range 4 east, Indian meridian, Pottawatomie County, Oklahoma, described as: Beginning at a point 1,320 feet south and 726 feet west of the northeast corner of said northeast quarter southwest quarter; thence north 220.44 feet; thence west 594 ⊥feet to ⊥1394
the point of intersection with the west line of said northeast quarter southwest quarter; thence north along the west line a distance of 439.56 feet to the midpoint of the west line of said northeast quarter southwest quarter; thence east a distance of 17 feet to the intersection with the west right-of-way line of Oklahoma State Highway Numbered 18; thence northeasterly along said west right-of-way line a distance of 493 feet; thence east 1,485 feet to the west right-of-way line of the Atchison, Topeka, and Santa Fe Railroad right-of-way; thence southwesterly along said west railroad right-of-way line a distance of 1,223 feet to a point in the south line of said northeast quarter southwest quarter, said point being 129 feet west of the southeast corner of said northeast quarter southwest quarter; thence west along the south line of said northeast quarter southwest quarter a distance of 597 feet to the point of beginning; containing 33.23 acres, more or less.

The title of the tribe to the lands hereinbefore described and the improvements thereon shall be subject to no exemption from taxation or restriction on use, management, or disposition because of Indian ownership.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed 25 U. S. C. 70a
by this Act should or should not be set off against any claim against the United States determined by the Commission.

Approved, August 11, 1964.

PUBLIC LAW 88-423

AN ACT

August 13, 1964
[H. R. 10503]
78 Stat. 397

To authorize appropriations for the fiscal years 1966 and 1967 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1964". Federal Aid Highway Act of 1964

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated: Appropriation

* * *

(7) For Indian reservation roads and bridges, $18,000,000 for the fiscal year ending June 30, 1966, and $18,000,000 for the fiscal year ending June 30, 1967.

* * *

⊥SEC. 5. For the purposes of section 2 of this Act each of the following terms shall have the same meaning as is given it in section 101 of title 23 of the United States Code: ⊥1398 Definitions

* * *

(3) Indian reservation roads and bridges;

* * *

Approved, August 13, 1964.

PUBLIC LAW 88-426

AN ACT

August 14, 1964
[H. R. 11049]
78 Stat. 400

To adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes.

Government Employees Salary Reform Act of 1964

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Government Employees Salary Reform Act of 1964".

* * *

1415

⊥TITLE III—FEDERAL EXECUTIVE SALARIES

Federal Executive Salary Act of 1964.

SEC. 301. This title may be cited as the "Federal Executive Salary Act of 1964".

SEC. 302. There is hereby established for offices and positions to which section 303 of this title applies a basic compensation schedule, to be known as the "Federal Executive Salary Schedule", which shall be divided into five salary levels.

1416

⊥SEC. 303.

* * *

1419

Offices and positions at $26,000

⊥(e) Level V of the Federal Executive Salary Schedule shall apply to the following offices and positions, for which the annual rate of basic compensation shall be $26,000:

* * *

1420

⊥(45) Commissioner of Indian Affairs, Department of the Interior.

(46) Chief Commissioner, Indian Claims Commission.

(47) Associate Commissioners, Indian Claims Commission (2).

* * *

Approved, August 14, 1964.

August 14, 1964
H. R. 8023]
78 Stat. 438

PUBLIC LAW 88-429

AN ACT

To authorize the conveyance of certain lands to ahe city of Saxman, Alaska.

Saxman, Alaska Conveyance

41 Stat. 630

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the trustee for the city of Saxman, Alaska, appointed under the provisions of section 3 of the Act of May 25, 1926 (48 U. S. C. 355c), shall, under the direction of the Secretary of the Interior, convey to such city all right, title, and interest held by such trustee to all lands within the townsite of such city which on the date of enactment of this Act are unoccupied and not held in trust for an Indian or Eskimo under the provisions of such Act of May 25, 1926.

Approved, August 14, 1964.

August 20, 1964
[S. 2642]
78 Stat. 508

PUBLIC LAW 88-452

AN ACT

To mobilize the human and financial resources of the Nation to combat poverty in the United States.

Economic Opportunity Act of 1964

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Economic Opportunity Act of 1964".

* * *

1528

⊥TITLE VI—ADMINISTRATION AND COORDINATION

PART A—ADMINISTRATION

* * *

1530

⊥VOLUNTEERS IN SERVICE TO AMERICA

Recruitment and assignment

SEC. 603. (a) The Director is authorized to recruit, select, train, and—

(1) upon request of State or local agencies or private nonprofit organizations, refer volunteers to perform duties in furtherance of programs combating poverty at a State or local level; and

(2) in cooperation with other Federal, State, or local agencies involved, assign volunteers to work (A) in meeting the health, education, welfare, or related needs of Indians living on reservations, of migratory workers and their families, or of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands; (B) in the care and rehabilitation of the mentally ill or mentally retarded under treatment at nonprofit mental health or mental retardation facilities assisted in their construction or operation by Federal funds; and (C) in furtherance of programs or activities authorized or supported under title I or II of this Act.

* * *

Approved, August 20, 1964.

PUBLIC LAW 88-453

AN ACT

August 20, 1964
[H. R. 11562]
78 Stat. 534

To authorize the Secretary of the Interior to sell Enterprise Rancheria numbered 2 to the State of California, and to distribute the proceeds of the sale to Henry B. Martin, Stanley Martin, Ralph G. Martin, and Vera Martin Kiras.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may sell and convey Enterprise Rancheria numbered 2, comprising 40.64 acres of land, more or less, described as lot 3, section 1, township 19 north, range 5 east, Mount Diablo base and meridian, to the State of California for a negotiated price which in the opinion of the Secretary reflects its fair market value, and the proceeds from the sale shall be distributed to Henry B. Martin, Stanley Martin, Ralph G. Martin, and Vera Martin Kiras.

Enterprise Rancheria
Sale and conveyance to California

Approved, August 20, 1964.

PUBLIC LAW 88-456

AN ACT

August 20, 1964
[H. R. 1713]
78 Stat. 554

To approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Klamath Indian irrigation project, Oregon, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with the Act of June 22, 1936 (49 Stat. 1803, 25 U. S. C. 389), the order of the Secretary of the Interior canceling $401,440.55 of reimbursable irrigation costs and any accrued interest thereon chargeable to lands in the Klamath Indian irrigation project is approved.

Irrigation charges
Approval of cancellation

Approved, August 20, 1964.

PUBLIC LAW 88-457

AN ACT

August 20, 1964
[H. R. 8834]
78 Stat. 555

To provide for the disposition of the funds arising from a judgment in favor of the Shawnee Tribe or Nation of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Shawnee Tribe or Nation that were appropriated by the Act of September 30, 1961 (75 Stat. 733), to pay a judgment that was obtained by the tribe or nation in the Indian Claims Commission for inadequate compensation for lands ceded to the United States under the treaty of May 10, 1854 (10 Stat. 1053), and the interest thereon, shall be divided on the basis of 514/1378ths to the Absentee Band of Shawnee Indians of Oklahoma; 747/1378th to the Cherokee Band of Shawnee Indians of

Indians.
Shawnee Tribe
Disposition of funds

Oklahoma; and 117/1378ths to the Eastern Band of Shawnee Indians of Oklahoma, after payment of attorney fees and expenses of litigation.

SEC. 2. The funds placed to the credit of the Absentee and the Eastern Bands of Shawnee Indians in the United States Treasury, and the interest thereon may be advanced or expended for any purpose and in such manner as the respective tribal governing bodies authorize and the Secretary of the Interior approves.

Payment roll.

SEC. 3. For the purpose of determining individual interests in the funds placed to the credit of the Cherokee Band of Shawnee Indians pursuant to section 1 of this Act, the Secretary shall prepare a new roll based on the roll of Cherokee Shawnees prepared in accordance with the Act of March 2, 1889 (25 Stat. 994). Eligible for inclusion on this new payment roll shall be all persons living on the date of this Act (a) who are, themselves, listed on the 1889 roll and (b) who are direct lineal descendants of persons listed on the 1889 roll. The Secretary may promulgate such rules and regulations as he considers necessary to carry out the purposes of this section.

SEC. 4. When the roll prepared pursuant to section 3 above has been completed and finally approved, the Secretary shall withdraw from the Treasury the funds placed to the credit of the Cherokee Band of Shawnee Indians in accordance with section 1 of this Act, together with the interest accumulated thereon, and shall distribute them in equal per capita shares to persons whose names appear on the roll: *Provided,* That no person who receives a per capita payment from funds credited to the Cherokee Band of Shawnee Indians shall be permitted to share in any per capita distribution of the funds credited to the Absentee and Eastern Bands of Shawnee Indians.

Distribution.

SEC. 5. (a) Except as provided in subsection (b) of this section, the Secretary shall distribute a per capita share payable to a living enrollee directly to such enrollee, and the Secretary shall distribute a per capita share payable to a deceased enrollee directly to his next of kin or legatees upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) A share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

⊥556
Tax exemption.

⊥SEC. 6. No part of any of the funds distributed in accordance with this Act shall be subject to Federal or State income tax.

Costs.

SEC. 7. All costs incurred by the Secretary in the preparation of the roll and in the payment of the per capita shares in accordance with the provisions of this Act shall be paid by withdrawals from the judgment fund of the appropriate band.

SEC. 8. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, August 20, 1964.

PUBLIC LAW 88-461

August 20, 1964
[H. R. 6496]
78 Stat. 559

AN ACT

To convey certain federally owned land to the Cherokee Tribe of Oklahoma.

Indians.
Cherokee Tribe of Okla
Land conveyance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in the following described land comprising 40 acres, more or less, heretofore set aside for school purposes, are hereby conveyed to the Cherokee Indian Tribe of Oklahoma, and such land shall not be subject to any exemption from

taxation, or restriction on use, management, or disposition, because of Indian ownership:

North half southeast quarter northeast quarter, and that part of the northeast quarter northeast quarter lying south of United States Highway Numbered 62, section 20, township 16 north, range 22 east, Indian meridian, Oklahoma.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the lands conveyed under the authority of this Act should or should not be set off against any claim against the United States determined by the Commission subsequent to the conveyance. 25 U. S. C. 70a.

Approved, August 20, 1964.

PUBLIC LAW 88-462

AN ACT

August 20, 1964
[H. R. 11329]
78 Stat. 559

To provide for the relocation and reestablishment of the village of Sil Murk and of the members of the Papago Indian Tribe inhabiting the village of Sil Murk, and for other purposes.

Indians.
Papago Tribe
Sil Murk village relocation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to receive and hold in trust for the Papago Tribe an amount of $269,500 out of funds available for the Painted Rock Dam and Reservoir project to be used solely for the relocation and reestablishment of the village of Sil Murk, and its inhabitants, including the purchase of a replacement site, construction of community facilities, and other improvements: *Provided,* That title to the replacement site and such community facilities shall be held by the United States of America in trust for the Papago Indian Tribe: *Provided further,* That said funds held by the Secretary of the Interior in trust for the Papago Tribe shall be expended in accordance with plans approved by the Secretary of the Interior.

SEC. 2. As a condition of the payment authorized in section 1 for the relocation of the village of Sil Murk, the individuals who may assert an interest in the improvements in the village and the Papago Tribe shall, by appropriate resolution and deed, quitclaim and release to the United States whatever interest the tribe and the individuals may have in the site of the present village of Sil Murk.

SEC. 3. There is authorized to be appropriated not to exceed $269,500 to carry out the provisions of this Act.

Approved, August 20, 1964.

PUBLIC LAW 88-463

AN ACT

August 20, 1964
[S. 136]
78 Stat. 560

To place in trust status certain lands on the Rosebud Sioux Reservation in South Dakota.

Indians.
Rosebud Sioux Reservation, S. Dak.
Lands in trust

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest in and to the following described tracts of land and the improvements thereon on the Rosebud Sioux Reservation in South Dakota, purchased by the United States with funds derived from the "Indian moneys, proceeds of labor, Rosebud School" account, shall hereafter be held by the United States in trust for the benefit of the Rosebud Sioux Tribe of South Dakota.

1561

Tract I I-BIA-107	Land description	Acres
	T. 38 N., R. 29 W., 6th P.M.	
L-4	Sec. 5, SW1/4	160.0
L-5	Sec. 6, SE1/4	160.0
L-6	Sec. 6, Lots 6, 7, E1/2SW1/4	149.51
L-7	Sec. 6, Lots 3, 4, 5, SE1/4NW1/4	147.09
	T. 38 N., R. 30 W., 6th P.M.	
L-9	Sec. 2, Lots 3, 4, S1/2NW1/4, SW1/4	321.64
L-10	Sec. 2, Lots 1, 2, S1/2NE1/4	160.47
L-11	Sec. 3, Lots 1, 2, S1/2NE1/4	161.95
L-12	Sec. 3, SE1/4	160.0
L-13	Sec. 3, Lots 3, 4, S1/2NW1/4, SW1/4	321.36
L-14	Sec. 4, Lots 1, 2, 3, 4, S1/2NW1/4, S1/2NE1/4	323.50
L-15	Sec. 5, Lots 1, 2, S1/2NE1/4	161.69
L-16	Sec. 5, SE1/4	160.0
L-17	Sec. 5, SW1/4	160.0
L-18	Sec. 6, Lots 1, 2, S1/2NE1/4	158.85
L-19	Sec. 6, SE1/4	160.0
L-20	Sec. 7, SE1/4	160.0
L-21	Sec. 7, Lots 3, 4, E1/2SW1/4	151.29
L-22	Sec. 8, S1/2	320.0
L-23	Sec. 9, NE1/4	160.0
L-25	Sec. 9, NW1/4	160.0
L-26	Sec. 10, NE1/4	160.0
L-27	Sec. 10, SE1/4	160.0
L-28	Sec. 10, NW1/4	160.0
L-29	Sec. 11, SE1/4	160.0
L-30	Sec. 11, NW1/4	160.0
L-31	Sec. 12, NW1/4	160.0
L-35	Sec. 17, NW1/4	160.0
L-37	Sec. 18, SE1/4	160.0
L-38	Sec. 18, All of lots 1, 2, E1/2NW1/4, NE1/4, lying north of old U.S. Highway No. 18	261.0
L-39	Sec. 21, E1/2	320.0
L-40	Sec. 21, W1/2	320.0
	T. 39 N., R. 30 W., 6th P.M.	
L-42	Sec. 26, SW1/4, except that part lying north of U.S. Highway No. 18	49.3
L-43	Sec. 27, SE1/4, except that part lying north of U.S. Highway No. 18	72.1
L-44	Sec. 28, W1/2SE1/4SW1/4, except the S1/2NE1/4NE1/4NW1/4 SE1/SW1/4, and N1/2SE1/4NE1/4NW1/4SE1/4SW1/4 containing 0.3125 acre each	19.375
L-47	Sec. 32, All of the N1/2 lying south of U.S. Highway No. 18	189.6
L-48	Sec. 32, All of the S1/2 lying south of U.S. Highway No. 18	312.67
L-49 } L-50 }	Sec. 33, NE1/4, S1/2NW1/4, W1/2NE1/4NW1/4, SE1/4NE1/4NW1/4, NW1/4NW1/4	310.0
L-51	Sec. 34, NE1/4	160.0
L-52	Sec. 34, SE1/4	160.0
L-53	Sec. 34, SW1/4	160.0
L-54	Sec. 35, W1/2	320.0
L-55	Sec. 35, E1/2	320.0
L-56	Sec. 36, NE1/4 except that part lying north of U.S. Highway No. 18	104.8
	T. 38 N., R. 32 W., 6th P.M.	
L-73	Sec. 1, Lots 3, 4, S1/2NW1/4	161.8
	T. 36 N., R. 32 W., 6th P.M.	
L-74	Sec. 12, N1/2NE1/4	80.0
L-75	Sec. 12, E1/2NW1/4, S1/2NE1/4	160.0
L-76	Sec. 12, W1/2NW1/4 and Sec. 1, Lots 1, 2, N1/2SW1/4, SW1/4SW1/4	260.34
	Total	8,838.335.

SEC. 2. That all the right, title, and interest in and to the following described tracts of land and the improvements thereon on the Rosebud Sioux Reservation in South Dakota, shall hereafter be held by the United States in trust for the benefit of the Rosebud Sioux Tribe of South Dakota:

Tract 1-BIA-107	Description	Acres
	T. 38 N., R. 30 W., 6th P.M.	
L-32	Sec. 16, $S^1/_2$	320.0
L-33	Sec. 17, $NE^1/_4$	160.0
L-34	Sec. 17, $SE^1/_4$	160.0
L-36	Sec. 17, $SW^1/_4$	160.0
	T. 39 N., R. 29 W., 6th P.M.	
L-41	Sec. 18, $NE^1/_4SW^1/_4$	40.0
	T. 39 N., R. 30 W., 6th P.M.	
L-45	Sec. 28, $SW^1/_4SW^1/_4$	40.0
	T. 42 N., R. 33 W., 6th P.M.	
L-68	Sec. 35, $E^1/_2$	320.0
	T. 37 N., R. 30 W., 6th P.M.	
L-71	Sec. 30, $NE^1/_4SE^1/_4$	40.0
	T. 36 N., R. 32 W., 6th P.M.	
L-77	Sec. 1, $SE^1/_4SW^1/_4$	40.0
L-78	Sec. 1, $W^1/_2W^1/_2SW^1/_4SE^1/_4$, $E^1/_2E^1/_2SW^1/_4SE^1/_4$, $SE^1/_4SE^1/_4$	60.0
	T. 36 N., R. 31 W., 6th P.M.	
L-97	Sec. 6, Lot 6	35.01
	Total	1,375.01

SEC. 3. That all the right, title, and interest in and to the south half section 9, township 38 north, range 30 west, sixth principal meridian, containing 281.91 acres, more or less (Bureau of Indian Affairs reference: Tract 1-BIA-107-L-24), on the Rosebud Sioux Reservation in South Dakota, purchased by the United States with funds derived from the "Indian moneys, proceeds of labor, Rosebud School" account, shall hereafter be held by the United States in trust for the benefit of the Rosebud Sioux Tribe of South Dakota.

SEC. 4. This conveyance is subject to all valid existing rights-of-way of record and subject to that certain proposed right-of-way for sewer purposes to the United States Public Health Service on which construction was authorized by the Superintendent, Rosebud Agency, on July 31, 1962.

SEC. 5. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. 25 U. S. C. 70a.

Approved, August 20, 1964.

PUBLIC LAW 88-464

AN ACT

August 20, 1964
[H. R. 8080]
78 Stat. 563

To authorize the Secretary of Interior to prepare a roll of persons eligible to receive funds from an Indian Claims Commission judgment in favor of the Snake or Paiute

Indians of the former Malheur Reservation in Oregon, to prorate and distribute such funds, and for other purposes.

Indians.
Snake or Paiute Tribe, payment roll

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall prepare a roll of the persons of Snake or Paiute Indian ancestry who meet the following requirements for eligibility: (1) They were born on or prior to and living on the date of this Act; and (2) they were members of or are lineal descendants of members of the bands whose chiefs and headmen We-you-we-wa (Wewa), Gahanee, E-hi-gant (Egan), Po-nee, Chaw-wat-na-nee, Owits (Oits), and Tash-e-go, signed the unratified Treaty of December 10, 1868; and (3) they do not elect to participate as beneficiaries of any awards granted in the docket numbered 87 claim of the Northern Paiute Nation. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Portland, Oregon, within nine months after the date of this Act on forms prescribed for that purpose. The determination of the Secretary regarding utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

SEC. 2. The Secretary is authorized and directed to withdraw the funds on deposit in the Treasury of the United States to the credit of the Snake or Paiute Tribe that were appropriated by the Act of April 13, 1960 (74 Stat. 42), in satisfaction of a judgment that was obtained by the tribe in the Indian Claims Commission against the United States in docket numbered 17 together with the interest accrued thereon, after payment of attorney fees and expenses, as well as all other expenses, and to prorate such funds among those persons whose names appear on the roll prepared pursuant to section 1 of this Act for distribution as hereinafter provided.

SEC. 3. The Secretary shall distribute shares payable to living persons enrolled pursuant to section 1 of this Act and shares payable to the heirs or legatees of deceased persons enrolled pursuant to section 1 of this Act according to rules and regulations which he shall prescribe, taking into account that in some instances a planned individual or group program for the use of shares may more properly serve the long-term interest of the enrollees than would a direct, unsupervised per capita payment. The funds so distributed shall not be subject to Federal or State income tax.

SEC. 4. All costs incurred by the Secretary in the preparation of the rolls and in the distribution of payment of pro rata shares in accordance with the provisions of this Act shall be paid by appropriate withdrawals from the judgment fund.

SEC. 5. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, August 20, 1964.

PUBLIC LAW 88-465

August 20, 1964
[H. R. 8334]
78 Stat. 564

AN ACT

To transfer to the Salt River Pima-Maricopa Indian community certain lands within the Salt River Pima-Maricopa Indian Reservation.

Indians.
Salt River Pima-Maricopa Tribe
Conveyance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in and to the following-described lands within the Salt River Pima-Maricopa Indian Reservation, Arizona, consisting of approximately 27.3625 acres, purchased for school purposes from Indian moneys proceeds of labor funds and now excess to the needs of the Bureau of Indian Affairs, are hereby declared to be held by the United States in trust for the Salt River Pima-Maricopa Indian Community:

South half north half south half northeast quarter southwest quarter southeast quarter,

South half south half northeast quarter southwest quarter southeast quarter,

North half northwest quarter southwest quarter southeast quarter,

North half north half south half northwest quarter southwest quarter southeast quarter,

West half east half southeast quarter southwest quarter,

West half east half east half southeast quarter southwest quarter,

East half northeast quarter northeast quarter southeast quarter southwest quarter,

North half northeast quarter southeast quarter northeast quarter southeast quarter southwest quarter,

Section 32, township 2 north, range 5 east, G & SRP & M, Arizona.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. 25 U. S. C. 70a.

Approved, August 20, 1964.

PUBLIC LAW 88-474

AN ACT

August 21, 1964
[H. R. 10672]
78 Stat. 585

To provide for the disposition of judgment funds now on deposit to the credit of the Pawnee Tribe of Oklahoma.

Indians.
Pawnee Tribe of Okla., judgment funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Pawnee Tribe of Oklahoma that were appropriated by the Act of May 17, 1963 (Public Law 88-25; 77 Stat. 20), to pay a judgment by the Indian Claims Commission in docket 10, and the interest thereon, after payment of attorney fees and expenses, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to the Federal or State income tax.

Approved, August 21, 1964.

PUBLIC LAW 88-483

AN ACT

August 22, 1964
[H. R. 11052]
78 Stat. 595

To declare that eighty acres of land acquired for the Flandreau Boarding School is held by the United States in trust for the Flandreau Santee Sioux Tribe.

Indians.
Flandreau Santee Sioux Tribe.
Lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in 80 acres of land described as the east half northeast quarter section 16, township 107 north, range 48 west, fifth principal meridian, acquired by the United States for the Flandreau Boarding School at Flandreau, South Dakota, and no longer used for such purposes, together with improvements thereon, are hereby declared to be held by the United States in trust for the Flandreau Santee Sioux Tribe, subject to all valid existing rights-of-way.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. 25 U. S. C. 70a.

Approved, August 22, 1964.

PUBLIC LAW 88–506

August 30, 1964
[H. R. 11118]
78 Stat. 639

AN ACT

To provide for the disposition of funds from judgments in favor of the Nehalem Band of the Tillamook Indians and the Tillamook Band of the Tillamook Indians.

Tillamook Indians, Judgment funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall prepare a roll of all persons who meet both of the following requirements for eligibility: (1) They were born on or prior to and living on the date of this Act; and (2) their name or the name of an ancestor through whom they claim eligibility appears either on the census roll of the Naalem (Nehalem) Band of Tillamook Indians dated January 28, 1898, or on the annuity payment roll of the Tillamook Band of Tillamook Indians prepared in 1914 under the provisions of the Act of August 24, 1912 (37 Stat. L., 519–535). Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Portland, Oregon, within six months after the date of this Act on forms prescribed for that purpose. The determination of the Secretary regarding the eligibility for enrollment of an applicant shall be final.

SEC. 2. The Secretary is authorized and directed to withdraw the funds on deposit in the Treasury of the United States to the credit of the Nehalem and Tillamook Bands of Indians that were appropriated by the Act of May 17, 1963 (77 Stat. 43), in satisfaction of a judgment obtained by the bands in the Indian Claims Commission against the United States in Docket Numbered 240 together with the interest accrued thereon and to pro rate such funds among those persons whose names appear on the roll prepared pursuant to section 1 of this Act. The Secretary shall distribute shares payable to living persons enrolled pursuant to section 1 of this Act and shares payable to the heirs and legatees of deceased persons enrolled pursuant to section 1 of this Act according to such rules and regulations as he may prescribe.

SEC. 3. The funds distributed in accordance with this Act shall not be subject to the Federal or State income tax.

SEC. 4. Any costs incurred by the Secretary in the preparation of the rolls and in the distribution of payment of pro rata shares in accordance with the provisions of this Act shall be paid by appropriate withdrawals from the judgment fund.

SEC. 5. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, August 30, 1964.

PUBLIC LAW 88–533

August 31, 1964
[H. R. 1794]
78 Stat. 738

AN ACT

To authorize payment for certain interests in lands within the Allegany Indian Reservation in New York, required by the United States for the Allegheny River (Kinzua Dam) project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation, and for other purposes.

Allegheny Indian Reservation, N. Y.
Seneca Nation, payments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the Allegheny Reservoir project authorized by the Flood Control Acts of June 28, 1938 (52 Stat. 1215), August 18, 1941 (55 Stat. 638), and December 22, 1944 (58 Stat. 889), payment shall be made as hereinafter set forth in this Act to the Seneca Nation and to the individual Seneca Indians for such easements, interests in land and other property within the Allegany Indian Reservation, more particularly described in section 14 of this Act, as have been taken for the construction, operation, and maintenance of said project.

SEC. 2. In consideration for the interests in land acquired as set forth in section 1 of this Act, the United States will pay, out of funds available for the Allegheny Reservoir project, and in accordance with the provisions of section 3 hereof—

(a) to the Seneca Nation, the amount of $666,285, as full compensation for the direct damages (including surface severance damages, but excluding damages caused by the increased expense of developing or otherwise exploiting the subsurface resources retained by the nation under section 6) to lands within the Allegany Indian Reservation caused by the acquisition of interests therein by the United States;

(b) to the Seneca Nation, the sum of $100,000, as full compensation for the damages caused by the increased expense of developing or otherwise exploiting the oil and gas subsurface resources retained by the nation under section 6 of this Act: *Provided, however,* That the Seneca Nation shall have the right, in the condemnation proceedings instituted by the United States in the United States District Court for the Western District of New York, to seek an additional sum as just compensation due the nation for damages to the sand and gravel resources within the Allegany Indian Reservation caused by the acquisition of interests in land therein by the United States: *Provided further,* That in the event the Seneca Nation seeks such additional compensation, the district court under section 1358, title 28, United States Code, shall have jurisdiction to determine the just compensation due to the nation for said damages. 62 Stat. 935.

(c) to individual Seneca Indians, a sum aggregating $522,775, to be disbursed in accordance with the provisions of a schedule prepared pursuant to section 3(c) of this Act, as full compensation for the taking of houses, barns, fences, wells, and other structures and improvements on lands within the Allegany Indian Reservation; and

(d) to the Seneca Nation, the amount of $945,573, in full settlement of all other claims, rights, and demands of the nation and its members, including indirect damages and loss of access to the bed of the Allegheny River, arising out of the taking of property as set forth in section 1 of this Act, exclusive of the interest, if any, of the Seneca Nation in houses, structures, or other improvements within the Allegany Indian Reservation claimed by nonmembers of the nation.

(e) In making payments under this section, the United States shall be entitled to a credit for all funds heretofore deposited in ⊥condemnation proceedings before the United States District ⊥1739 Court for the Western District of New York as the estimated just compensation for the acquisition of interests in lands and other property belonging to the Seneca Nation or individual Seneca Indians in connection with the Allegheny Reservoir project.

(f) The sums payable under (a) and (c) of this section shall be subject to deduction in accordance with stipulations entered into, or to be entered into, between the United States, the Seneca Nation, and individual Seneca Indians if it is judicially determined that title to any lands or improvements to which such compensation relates was not vested at the time of the taking, in whole or in part, in the Seneca Nation or individual Seneca Indians.

SEC. 3. (a) The payment authorized by section 2(a) of this Act shall be made directly to the Seneca Nation: *Provided,* That out of the funds so distributed to the nation a sum not exceeding $611,675 shall be paid to individual Seneca Indians in accordance with a schedule prepared by the Secretary of the Army, after certification by the nation. Said schedule shall reflect the amount agreed upon by the Secretary of the Method of payment

Army and the Seneca Nation, with the approval of the Secretary of the Interior, as compensation for the interests in lands within the taking area of said individual Seneca Indians.

(b) The payment authorized by section 2(b) of this Act shall be made directly to the Seneca Nation: *Provided,* That if the nation through litigation recovers additional compensation for damages to its sand and gravel resources, the United States shall be entitled to a credit against that supplemental award in the amount paid to the nation under section 2(a) for damages to the surface of the lands on which such sand and gravel are located.

(c) The payments authorized by section 2(c) of this Act shall be made directly to individual Seneca Indians in accordance with a schedule of property owners within the taking area prepared by the Secretary of the Army, after certification by the Seneca Nation. Said schedule shall reflect the amount agreed upon by the Secretary of the Army and the nation, with the approval of the Secretary of the Interior, as compensation for the homes, barns, fences, wells, and other structures and improvements within the taking area of said individual Seneca Indians.

(d) The payment authorized by section 2(d) of this Act shall be made directly to the Seneca Nation: *Provided,* That the nation, with the approval of the Secretary of the Interior, shall make available from the funds so distributed not to exceed $127,050, to pay the expenses, costs, losses, and damages incurred by individual Seneca Indians as a result of moving themselves and their possessions, including dwellings and other buildings owned by the members of the nation, on account of the acquisition by the United States of interests in land within the Allegany Reservation as set forth in section 1 of this Act.

(e) No part of the compensation provided for in section 2 of this Act shall be subject to any prior lien, debt, or claim of any nature whatsoever against the Seneca Nation or the individual Seneca Indians entitled to such compensation, except for the repayment of development loans made to the Seneca Nation, or of housing or resettlement loans made to individual Seneca Indians, by a bank or other recognized lending institution, and also except for delinquent debts owed to the United States by the nation or delinquent debts owed to the United States or the Seneca Nation by the individual Seneca Indian entitled to the compensation: *Provided,* That such compensation shall not be applied to the payment of individual delinquent debts to the United States unless the Secretary of the
1740 ⊥Interior first determines and certifies that no hardship will result from the payment of such delinquent debts.

Appropriation

SEC. 4. There is authorized to be appropriated the additional sum of $12,128,917, which shall be deposited in the Treasury of the United States to the credit of the Seneca Nation and which shall draw interest on the principal at the rate of 4 per centum per annum until expended for assistance designed to improve the economic, social, and educational conditions of enrolled members of the Seneca Nation, including but not limited to the following purposes:

(a) developing and carrying out individual and family plans, including relocation and resettlement and the construction of roads, utilities, sanitation facilities, houses, and related structures;

(b) the construction and maintenance of community buildings and other community facilities; and

(c) industrial and recreational development on the Allegany, Cattaraugus, and Oil Springs Reservations.

The funds authorized by this section shall be expended in accordance with plans and programs approved by the Seneca Nation and the Secretary of the Interior: *Provided,* That no part of such funds shall be used for per capita payments.

Cemeteries, shrines, etc., relocation.

SEC. 5. The Secretary of the Army, out of funds appropriated for the Allegheny Reservoir project other than funds provided by this Act, is authorized and directed to relocate and reestablish within the Allegany Reservation such Indian cemeteries, tribal monuments, graves, and shrines inside the taking area as the Seneca Nation or the next of kin shall select and designate: *Provided,* That reinterment of individual remains, though not entire cemeteries, outside the boundaries of the Allegany Reservation also is authorized if so desired by the next of kin, but in such event reinterment to a site which exceeds the equivalent distance from the disinterment site to the farthest point at which reinterment could be made within the reservation boundaries will be made only if the next of kin agrees to pay the added cost: *And provided further,* That the Secretary of the Army is authorized and directed to provide a trust fund in an amount computed on the basis of $14.40 for each reinterment for the perpetual care and maintenance of the graves for the reinterments at the two cemetery relocation sites selected by the Seneca Nation.

Minerals, reservation

SEC. 6. All minerals of any kind whatsoever, including oil and gas and sand and gravel, within the areas subjected to the interests in land acquired by the United States as set forth in section 1 of this Act, are hereby reserved to the Seneca Nation: *Provided,* That the exploration and development of such minerals, including oil and gas and sand and gravel, within the taking areas shall be consistent with said interests in land and subject to all reasonable regulations of the Secretary of the Army necessary for the protection of the Allegheny Reservoir project.

SEC. 7. Members of the Seneca Nation shall have the right without charge to remain on and use the lands subject to the interests in land acquired by the United States as set forth in section 1 of this Act until required to vacate at such times as may be fixed by the Secretary of the Army with the approval of the Secretary of the Interior and after consultation with the Seneca Nation: *Provided,* That the time for vacating in any event will not extend beyond January 1, 1965, unless the Secretary of the Army otherwise permits.

Harvest of crops, etc.

SEC. 8. Up to sixty days before the date for vacating in accordance with section 7, the Seneca Nation on its common lands within the taking area for the Allegheny Reservoir project, and individual Seneca Indians on lands in which they have an interest as shown on the sched-⊥ules described in section 3 (a) and (c) of this Act, shall have the right, without charge, to harvest crops, to cut and remove all timber, to mine and remove sand and gravel, and to salvage improvements: *Provided,* That if such rights are not exercised or are waived by said individual Seneca Indians within the time prescribed, the nation shall have an additional thirty days within which to exercise their rights on its own behalf: *Provided further,* That the crops harvested, the timber cut, the sand and gravel removed, and the salvage permitted by this section shall not be construed to be compensation.

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SEC. 9. The Seneca Nation shall have the right to use and occupy the taking area of the Allegheny Reservoir project within the Allegany Reservation for all purposes not inconsistent with the interests in land acquired by the United States as set forth in section 1 of this Act, including, but not limited to, the right to lease such lands for farming and grazing purposes to members or nonmembers of the nation, the power to dispose of all minerals reserved under section 6 of this Act, the right to hunt and fish on such lands, and to license hunting and fishing by nonmembers of the nation and the right to regulate access to the shoreline of the reservoir: *Provided,* That public access to the shoreline shall be provided and no charge shall be made to the public therefor: *And provided further,* That the use by the public of the water areas of the Allegheny Reservoir project shall be

pursuant to such rules and regulations as the Secretary of the Army may prescribe.

SEC. 10. The Secretary of the Treasury, upon certification by the Secretary of the Interior, shall reimburse the Seneca Nation for all fees and expenses incurred in relation to the Allegheny Reservoir project, including the cost of engineering and appraising services: *Provided*, That not more than $250,000 is authorized to be appropriated for such reimbursable fees and expenses: *And provided further*, That attorney fees shall be paid under the terms of a contract approved by the Secretary of the Interior.

Acceptance of payment
Waiver of claims

SEC. 11. (a) Any individual Seneca Indian who accepts the payment tendered to him pursuant to section 3(a) shall be deemed to waive and release any further claims, rights, or demands in his own name arising out of the taking of interests in land as set forth in section 1 of this Act. Any individual Seneca Indian who accepts the payment tendered to him pursuant to section 3(c) shall be deemed to waive and release any further claims, rights, or demands in his own name arising out of the taking of houses, barns, fences, wells, and other structures and improvements under this Act.

(b) Any individual Seneca Indian who has been duly tendered payment in accordance with the schedules prepared pursuant to section 3 (a) and (c) of this Act shall have the right to reject either or both of the sums so tendered by filing a notice of rejection with the Seneca Nation, Salamanca, New York, the district engineer, United States Army Engineer District, Pittsburgh, Pennsylvania, and the United States attorney for the western district of New York, Buffalo, New York, within ninety days after the tender is made.

(c) For the purposes of this section, the Secretary of the Interior is authorized to represent any individual Seneca Indian entitled to payment who is a minor, or under any other legal disability, or who cannot be located after a reasonable and diligent search.

Compensation determined by court

SEC. 12. (a) Any individual Seneca Indian who, pursuant to section 11 (b) of this Act, rejects a sum tendered in payment under section 3 (a) or (c), or both, shall have the right to litigate the issue of just compensation in the United States District Court for the Western District of New York. The court shall, except as otherwise expressly provided herein, determine just compensation in accordance with the ⊥laws and procedures applicable to the determination of just compensation in condemnation proceedings in the Federal courts. No court or statutory costs, but all other costs and expenses, including attorney's fees, shall be at the contesting individual's expense.

(b) Where the sum rejected by an individual Seneca Indian has been tendered under section 3 (a) of this Act, and the United States has instituted condemnation proceedings, the Seneca Nation within sixty days shall deposit in court the total amount paid to it pursuant to section 2 (a), less any credit given the United States under section 2 (e), for the interests in land acquired by the United States which are the subject of the contesting individual's claims. Any excess of the sum so deposited over the amount finally determined as just compensation for the interests in land, if any, of the contesting individual shall be paid back to the Seneca Nation. If the amount finally determined as just compensation for all interests in land acquired by the United States which are the subject of the contesting individual's claim exceeds the sum deposited by the Seneca Nation, the difference shall be paid into court by the United States, and the total amount so paid and deposited shall be distributed as directed by the court.

(c) Where the sum rejected by an individual Seneca Indian has been tendered under section 3 (c) of this Act, and the issue of just compensation is litigated, the United States shall not assert as a defense that any interest in the property is owned by the Seneca Nation.

(d) For the purposes of this section, any individual Seneca Indian eligible to file suit, who is a minor or under any other legal disability, shall be represented by his legal guardian or, if no guardian has been appointed, by an attorney appointed by the Court.

Land acquisition for relocation purposes.

SEC. 13. The Secretary of the Interior is hereby authorized, with the funds provided under section 3 of this Act, to purchase or to acquire through condemnation proceedings lands, and interests in lands, within the Allegany Reservation, for the relocation of houses and community facilities or for recreational, commercial, or industrial development. Any lands or interests in lands so acquired shall have the same legal status as other lands within the reservation.

Land descriptions; recording.

SEC. 14. The interests in land required for the Allegheny Reservoir project within the Allegany Indian Reservation are generally identified and delineated on a map entitled "Allegheny River Basin, Allegheny Reservoir, New York, General Map". Detailed legal description of the lands shown thereon, together with tract maps, are or shall be filed in condemnation proceedings which have been instituted by the United States in the United States District Court for the Western District of New York for the acquisition of easements, interests in land, and other property within the Allegany Indian Reservation. The estates taken shall be as specifically set forth in the complaints filed in said proceedings, except insofar as the court may determine that the condemnation by the United States of any easement, interest in land, or other property identified therein for the construction of a limited access highway to be made a part of the New York State Southern Tier Expressway has not been authorized, in which event said estate shall not be taken. Copies of the final decree and other appropriate papers in said condemnation proceedings setting forth legal descriptions of the lands and the estates taken, together with identifying tract maps, shall be filed among the land records of the Bureau of Indian Affairs in Washington, District of Columbia, and recorded in the office of the county clerk of Cattaraugus County, New York. A true and correct copy of said papers shall be furnished by the Secretary of the Army without cost to the Seneca Nation.

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⊥SEC. 15. Upon a determination by the Secretary of the Army that all or part of the interests in land acquired as set forth in section 1 of this Act no longer are necessary for the purposes of the Allegheny Reservoir project, all right, title, and interests in such lands shall thereupon vest in the Seneca Nation.

SEC. 16. No part of any expenditures made by the United States under any of the provisions of this Act shall be charged by the United States as an offset or counterclaim against any claim of the Seneca Nation against the United States other than claims arising out of the acquisition of interests in land for the Allegheny Reservoir project.

Tax exemption.

SEC. 17. All funds authorized by this Act paid to the Seneca Nation and individual Seneca Indians shall be exempt from all forms of State and Federal income taxes.

Federal supervision; withdrawal.

SEC. 18. Except as specifically required to carry out the provisions of this Act, the Department of the Interior shall not enlarge the services which it is now in fact rendering to, or the supervision which it is now in fact exercising over the property and affairs of, the Seneca Nation and its members pursuant to the laws of the United States relating to Indians and Indian tribes. The Secretary of the Interior shall, after consultation with the Seneca Nation, submit to the Congress a plan for complete withdrawal of Federal supervision over the property and affairs of the Nation and its members. Said plan shall be submitted within three years from the effective date of this Act.

Report to Congress.

Approved, August 31, 1964.

PUBLIC LAW 88-540

August 31, 1964
[H. R. 5837]

78 Stat. 747

AN ACT

To amend the Act entitled "An Act to authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation, and for other purposes", approved July 28, 1955.

Yakima Indian Reservation
Land purchase.

69 Stat. 392.
25 U. S. C. 608-608c

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Reservation, and for other purposes", approved July 28, 1955, is amended to read as follows:

"That (a) the Secretary of the Interior is authorized, in his discretion, to—

"(1) purchase for the Yakima Tribes, with any funds of such tribes, and to otherwise acquire by gift, exchange, or relinquishment, any lands or interest in lands or improvements thereon within the Yakima Indian Reservation or within the area ceded to the United States by the treaty of June 9, 1855;

12 Stat. 951.

"(2) sell or approve sales of any tribal trust lands, any interest therein or improvements thereon, such sales being limited to agencies of the Federal, State, or local governments for recreational, educational, civic, or other public purposes, and to individual members of the tribes;

"(3) exchange any tribal trust lands, including interests therein or improvements thereon, for any lands situated within such reservation or the area ceded to the United States by the treaty of June 9, 1855; and

"(b) Where lands are held in multiple ownership, the Secretary is authorized to sell and exchange such lands to other Indians or the Yakima Tribes only if the sale or exchange is authorized in writing by the owners of at least a majority interest in such lands; except that no greater percentage of approval of individual Indians shall be required under this Act than in any other statute of general application approved by Congress.

"(c) In all cases in which the Secretary is acquiring for the Yakima Tribes lands or interests in lands presently held in trust or under restrictions for the benefit of an individual Indian, title shall be taken in the name of the United States in trust for the Yakima Tribes. In all cases in which land being purchased is presently held by the grantor in fee simple, title shall be taken for and held by the Yakima Tribes in fee and such land shall not, by reason of its being owned by the tribes, be exempt from taxation in accordance with the laws of the State of Washington.

"(d) The Secretary shall obtain the advice and consent of the Yakima tribal council before entering into any of the above transactions involving the acquisition or disposition of tribal land. The

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⊥terms and conditions of any such transaction, including the price at which any land is so purchased or sold and the valuation of any lands so exchanged, shall be mutually agreed upon by the Secretary, the Yakima tribal council, and the individual Indian or Indians concerned. Any such exchange of lands shall be effected on the basis of approximately equal consideration with due allowance for the value of improvements in determining the value of such lands."

SEC. 2. The first sentence of subsection 2 (a) of such Act is repealed.

SEC. 3. Subsection 3 (b) of such Act is repealed.

Approved, August 31, 1964.

PUBLIC LAW 88-551

August 31, 1964
[S. 1169]

78 Stat. 755

AN ACT

To authorize a per capita distribution of $350 from funds arising from judgments in favor of any of the Confederated Tribes of the Colville Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Colville Tribe, San Poeils-Nespelem Tribe, Okanogan Tribe, Methow Tribe, and Lake Tribe (certain constituent groups of the Confederated Tribes of the Colville Reservation) that were appropriated to pay a judgment of the Indian Claims Commission dated March 1, 1960, in docket numbered 181, and the funds which may be deposited in the Treasury of the United States to the credit of the said constituent groups or any other constituent groups of the Confederated Tribes of the Colville Reservation to pay any judgments arising out of claims presently pending before the Indian Claims Commission and the interest on said judgments, after payment of attorney fees and expenses, shall be credited to the account of the Confederated Tribes of the Colville Reservation and the Secretary of the Interior is authorized and directed to make a per capita distribution from such funds of $350, to the extent that such funds are available, to each enrolled member of the Confederated Tribes of the Colville Reservation. Any part of such funds distributed per capita to the members of the tribes shall not be subject to Federal or state income tax.

Indians.
Confederated Tribes of the Colville Reservation

Approved, August 31, 1964.

PUBLIC LAW 88-559

AN ACT

September 1, 1964
[S. 2961]
78 Stat. 768

To provide for the disposition of the judgment funds on deposit to the credit of the Northern Cheyenne Tribe of the Tongue River Indian Reservation, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Northern Cheyenne Tribe of Indians of the Tongue River Reservation in the State of Montana that were appropriated by the Act of January 6, 1964 (77 Stat. 857), to pay a judgment by the Indian Claims Commission in docket 329-C, and the interest thereon, after payment of litigation costs, may be advanced or expended for any purpose that will improve the economic and social conditions of the members of the tribe and is authorized by the tribal governing body thereof and approved by the Secretary of the Interior: *Provided,* That no more than $100 per capita shall be distributed in unsupervised payments. Any part of such funds that is distributed per capita to the members of the tribe shall not be subject to the Federal or State income tax.

Indians.
Northern Cheyenne Tribe.

Approved, September 1, 1964.

PUBLIC LAW 88-560

AN ACT

September 2, 1964
[S. 3049]
78 Stat. 769

To extend and amend laws relating to housing, urban renewal, and community facilities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing Act of 1964".

Housing Act of 1964.

* * *

⊥TITLE III—URBAN RENEWAL

⊥1785

* * *

⊥URBAN AND REGIONAL PLANNING GRANTS

⊥1792

SEC. 314. (a) Section 701 (a) of the Housing Act of 1954 is amended by striking out "resulting from rapid urbanization" in clause (B) of paragraph (1).

73 Stat. 678
40 U.S.C. 461

(b) Section 701 (a) of such Act is further amended by—

(1) striking out "and" at the end of paragraph (4);

(2) striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon; and

(3) adding two new paragraphs after paragraph (5) as follows:

"(6) metropolitan and regional planning agencies, with the approval of the State planning agency or (in States where no such planning agency exists) of the Governor of the State, for the provision of planning assistance within the metropolitan area or region to cities, other municipalities, counties, groups of adjacent communities, or Indian reservations described in clauses (A), (B), (C), and (D) of paragraph (1) of this subsection;

"(7) to official governmental planning agencies for any area where there has occurred a substantial reduction in employment opportunities as the result of (A) the closing (in whole or in part) of a Federal installation, or (B) a decline in the volume of Government orders for the procurement of articles or materials produced or manufactured in such area; and".

(c) Section 701 (a) of such Act is further amended by striking out "(a)" after "section 5" in paragraph (3).

(d) Section 701 (b) of such Act is amended by striking out the proviso in the first sentence and inserting in lieu thereof ": *Provided*, That such a grant may be in an amount not exceeding three-fourths of such estimated cost to an official governmental planning agency for an area described in subsection (a) (7), or for planning being carried out for a city, other municipality, county, group of adjacent communi-

1793 ⊥ties, or Indian reservation in an area designated by the Secretary of Commerce as a redevelopment area under section 5 of the Area Redevelopment Act".

75 Stat. 48.
42 U. S. C. 2504.

PLANNING GRANTS FOR INDIAN RESERVATIONS

73 Stat. 678.
40 U. S. C. 461

SEC. 315. (a) Section 701 (a) of the Housing Act of 1954 is amended by—

(1) striking out "and" at the end of clause (B) of paragraph (1);

(2) inserting ", and (D) Indian reservations" before the semicolon at the end of paragraph (1); and

(3) inserting a new paragraph after paragraph (7) (added by section 314(b)) as follows:

"(8) tribal planning councils or other tribal bodies designated by the Secretary of the Interior for planning for an Indian reservation to which no State planning agency or other agency or instrumentality is empowered to provide planning assistance under clause (D) of paragraph (1) above."

(b) Section 701(d) of such Act is amended by—

(1) striking out "and urban regions" in the first sentence and inserting in lieu thereof "urban regions, and Indian reservations"; and

(2) inserting after "instrumentalities" in the second sentence the following: ", and to Indian tribal bodies,".

* * *

1798 ⊥TITLE VI—COMMUNITY FACILITIES

* * *

1799 ⊥ADVANCES FOR PUBLIC WORKS PLANNING

69 Stat. 641
40 U. S. C. 462.

SEC. 602. (a) Section 702(e) of the Housing Act of 1954 is amended to read as follows:

* * *

(b) Section 702 of such Act is further amended by adding at the end thereof the following new subsection:

"(h) (1) Notwithstanding any other provision of law, if a public agency or Indian tribe undertakes to construct only a portion of a public work planned with an advance under this section, under title V of the War Mobilization and Reconversion Act of 1944, or under the Act of October 13, 1949, it shall repay only such proportionate amount of the advance relating to the public work as the Administrator determines to be equitable.

"(2) The Administrator is authorized, to terminate, upon such terms and conditions as he shall deem equitable, all or a portion of the liability for repayment of any advance made under this section, title V of the War Mobilization and Reconversion Act of 1944, or the Act of October 13, 1949. Whenever the Administrator determines that there is no reasonable likelihood that the public work, or a portion of the public work, planned with such advance will be constructed, he may terminate the agreement for the advance. Such determination shall be conclusive and shall be based on standards prescribed by regulations to be issued by the Administrator."

(c) Section 702 of such Act is further amended—

(1) by striking out "public agencies" wherever that term appears in subsection (a) and inserting in lieu thereof "public agencies and Indian tribes";

(2) by striking out "public agency" in clause (3) of subsection (b) and inserting in lieu thereof "public agency or Indian tribe";

(3) by striking out "to any public agency" and "by the public agency" in subsection (c) and inserting in lieu thereof "to any public agency or Indian tribe" and "by the public agency or Indian tribe", respectively, and by striking out "by such agency" in such subsection and inserting in lieu thereof "by such agency or tribe"; and

(4) by striking out "That if" and all that follows down through "*And provided further,*" in subsection (c).

(d) Section 702(f) of such Act is amended by striking out "$50,000" and inserting in lieu thereof "$100,000". 73 Stat. 686.

(e) Section 702(a) of such Act is amended by inserting immediately before the first colon the following: ", including, in the case of public works to be constructed in connection with the development of a medical center, a general plan for the development of such center".

(f) Section 702(b) of such Act is amended by striking out the last sentence.

* * *

Approved, September 2, 1964.

PUBLIC LAW 88-606

AN ACT

September 19, 1964
[H. R. 8070]
78 Stat. 982

For the establishment of a Public Land Law Review Commission to study existing laws and procedures relating to the administration of the public lands of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

Public Land Law Review Commission Establishment

* * *

⊥DEFINITION OF "PUBLIC LANDS" 1985

SEC. 10. As used in this Act, the term "public lands" includes (a) the public domain of the United States, (b) reservations, other than Indian reservations, created from the public domain, (c) lands permanently or temporarily withdrawn, reserved, or withheld from private appropriation and disposal under the public land laws, including the mining laws, (d) outstanding interests of the United States in lands patented, conveyed in fee or otherwise, under the public land laws, (e) national

forests, (f) wildlife refuges and ranges, and (g) the surface and subsurface resources of all such lands, including the disposition or restriction on disposition of the mineral resources in lands defined by appropriate statute, treaty, or judicial determination as being under the control of the United States in the Outer Continental Shelf.

Approved, September 19, 1964.

PUBLIC LAW 88-632

October 6, 1964
[H. R. 10204]
78 Stat. 1008

AN ACT

To extend the Osage mineral reservation for an indefinite period.

Osage Indians.
Mineral estate

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of June 24, 1938 (52 Stat. 1034), which extends the mineral estate reserved to the Osage Tribe by the Act of June 28, 1906 (34 Stat. 539), until April 8, 1983, unless otherwise provided by Act of Congress, is hereby amended by striking the word "unless" and substituting therefor "and thereafter until".

Approved, October 6, 1964.

PUBLIC LAW 88-635

October 7, 1964
[H. R. 12633]
78 Stat. 1023

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes.

Supplemental Appropriation Act, 1965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1965") for the fiscal year ending June 30, 1965, and for other purposes, namely:

* * *

⊥1027

⊥CHAPTER V—DEPARTMENT OF THE INTERIOR

* * *

⊥1028

⊥BUREAU OF INDIAN AFFAIRS

PAYMENT TO THE SENECA NATION

For assistance to improve the economic, social, and educational conditions of enrolled members of the Seneca Nation, as authorized by Public Law 88-533, approved August 31, 1964, $12,128,917.

Ante, p. 738.

* * *

Approved, October 7, 1964.

PUBLIC LAW 88-639

October 8, 1964
[S. 653]
78 Stat. 1039

AN ACT

To provide an adequate basis for administration of the Lake Mead National Recreation Area, Arizona and Nevada, and for other purposes.

Lake Mead National Recreation Area Administration

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the national significance of the Lake Mead National Recreation Area, in the States of Arizona and Nevada, and in order to establish a more adequate basis for effective administration of such area for the public benefit, the Secretary of the Interior hereafter may exercise the functions and carry out the activities prescribed by this Act.

Boundaries

SEC. 2. Lake Mead National Recreation Area shall comprise that particular land and water area which is shown on a certain map, identified as "boundary map, RA-LM-7060-B, revised July 17, 1963", which is on file and which shall be available for public inspection in

the office of the National Park Service of the Department of the Interior. An exact copy of such map shall be filed with the Federal Register within thirty days following the approval of this Act, and an exact copy thereof shall be available also for public inspection in the headquarters office of the superintendent of the said Lake Mead National Recreation Area.

Filing with Federal Register

The Secretary of the Interior is authorized to revise the boundaries of such national recreation area, subject to the requirement that the total acreage of that area, as revised, shall be no greater than the present acreage thereof. In the event of such boundary revision, maps of the recreation area, as revised, shall be prepared by the Department of the Interior, and shall be filed in the same manner, and shall be available for public inspection also in accordance with the aforesaid procedures and requirements relating to the filing and availability of maps. The Secretary may accept donations of land and interests in land within the exterior boundaries of such area, or such property may be procured by the Secretary in such manner as he shall consider to be in the public interest.

Boundary revision

Donations of land

In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within the boundaries of the recreation area and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

Property acquisition

Establishment or revision of the boundaries of the said national recreation area, as herein prescribed, shall not affect adversely any valid rights in the area, nor shall it affect the validity of withdrawals heretofore made for reclamation or power purposes. All lands in the recreation area which have been withdrawn or acquired by the United States for reclamation purposes shall remain subject to the primary use thereof for reclamation and power purposes so long as they are withdrawn or needed for such purposes. There shall be excluded from the said national recreation area by the Secretary of the Interior any property for management or protection by the Bureau of Reclamation, which would be subject otherwise to inclusion in the said recreation area, and which the Secretary of the Interior considers in the national interest should be excluded therefrom.

Property exclusion

SEC. 3. The authorities granted by this Act shall be subject to the following exceptions and qualifications when exercised with respect ⊥to any tribal or allotted lands of the Hualapai Indians that may be included within the exterior boundaries of the Lake Mead National Recreation Area:

Hualapai Indian lands

⊥1040

(a) The inclusion of Indian lands within the exterior boundaries of the area shall not be effective until approved by the Hualapai Tribal Council.

(b) Mineral developments or use of the Indian lands shall be permitted only in accordance with the laws that relate to Indian lands.

(c) Leases and permits for general recreational use, business sites, home sites, vacation cabin sites, and grazing shall be executed in accordance with laws relating to leases of Indian lands, provided that all development and improvement leases so granted shall conform to the development program and standards prescribed for the Lake Mead National Recreation Area.

(d) Nothing in this Act shall deprive the members of the Hualapai Tribe of hunting and fishing privileges presently exercised by them, nor diminish those rights and privileges of that part of the reservation which is included in the Lake Mead Recreation Area.

Recreational purposes.

SEC. 4. (a) Lake Mead National Recreation Area shall be administered by the Secretary of the Interior for general purposes of public recreation, benefit, and use, and in a manner that will preserve, develop, and enhance, so far as practicable, the recreation potential, and in a manner that will preserve the scenic, historic, scientific, and other important features of the area, consistently with applicable reservations and limitations relating to such area and with other authorized uses of the lands and properties within such area.

Activities.

(b) In carrying out the functions prescribed by this Act, in addition to other related activities that may be permitted hereunder, the Secretary may provide for the following activities, subject to such limitations, conditions, or regulations as he may prescribe, and to such extent as will not be inconsistent with either the recreational use or the primary use of that portion of the area heretofore withdrawn for reclamation purposes:

(1) General recreation use, such as bathing, boating, camping, and picnicking;

(2) Grazing;

(3) Mineral leasing;

(4) Vacation cabin site use, in accordance with existing policies of the Department of the Interior relating to such use, or as such policies may be revised hereafter by the Secretary.

Hunting, fishing, trapping.

SEC. 5. The Secretary of the Interior shall permit hunting, fishing, and trapping on the lands and waters under his jurisdiction within the recreation area in accordance with the applicable laws and regulations of the United States and the respective States: *Provided,* That the Secretary, after consultation with the respective State fish and game commissions, may issue regulations designating zones where and establishing periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment.

Regulations.

SEC. 6. Such national recreation area shall continue to be administered in accordance with regulations heretofore issued by the Secretary of the Interior relating to such areas, and the Secretary may revise such regulations or issue new regulations to carry out the purposes of this Act. In his administration and regulation of the area, the Secretary shall exercise authority, subject to the provisions and limitations of this Act, comparable to his general administrative authority relating to areas of the national park system.

⊥1041
Arrests.

⊥The superintendent, caretakers, officers, or rangers of such recreation area are authorized to make arrests for violation of any of the regulations applicable to the area or prescribed pursuant to this Act, and they may bring the offender before the nearest commissioner, judge, or court of the United States having jurisdiction in the premises.

Violations.

Any person who violates a rule or regulation issued pursuant to this Act shall be guilty of a misdemeanor, and may be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

Jurisdiction.

SEC. 7. Nothing in this Act shall deprive any State, or any political subdivision thereof, of its civil and criminal jurisdiction over the lands within the said national recreation area, or of its rights to tax persons, corporations, franchises, or property on the lands included in such area. Nothing in this Act shall modify or otherwise affect the existing jurisdiction of the Hualapai Tribe or alter the status of individual Hualapai Indians within that part of the Hualapai Indian Reservation included in said Lake Mead National Recreation Area.

Revenues and fees.

SEC. 8. Revenues and fees obtained by the United States from operation of the national recreation area shall be subject to the same statutory provisions concerning the disposition thereof as are similar revenues collected in areas of the national park system with the

exception, that those particular revenues and fees including those from mineral developments, which the Secretary of the Interior finds are reasonably attributable to Indian lands shall be paid to the Indian owner of the land, and with the further exception that other fees and revenues obtained from mineral development and from activities under other public land laws within the recreation area shall be disposed of in accordance with the provisions of the applicable laws.

Mohave County, Ariz. Appointment of commissioner

SEC. 9. A United States commissioner shall be appointed for that portion of the Lake Mead National Recreation Area that is situated in Mohave County, Arizona. Such commissioner shall be appointed by the United States district court having jurisdiction thereover, and the commissioner shall serve as directed by such court, as well as pursuant to, and within the limits of, the authority of said court.

The functions of such commissioner shall include the trial and sentencing of persons committing petty offenses, as defined in title 18, section 1, United States Code: *Provided*, That any person charged with a petty offense may elect to be tried in the district court of the United States, and the commissioner shall apprise the defendant of his right to make such election, but shall not proceed to try the case unless the defendant, after being so apprised, signs a written consent to be tried before the commissioner. The exercise of additional functions by the commissioner shall be consistent with and be carried out in accordance with the authority, laws, and regulations, of general application to United States commissioners. The provisions of title 18, section 3402, of the United States Code, and the rules of procedure and practice prescribed by the Supreme Court pursuant thereto, shall apply to all cases handled by such commissioner. The probation laws shall be applicable to persons tried by the commissioner and he shall have power to grant probation. The commissioner shall receive the fees, and none other, provided by law for like or similar services.

62 Stat. 831.

Probation laws

Appropriation

SEC. 10. There are hereby authorized to be appropriated not more than $1,200,000 for the acquisition of land and interests in land pursuant to section 2 of this Act.

Approved, October 8, 1964.

PUBLIC LAW 88-640

AN ACT

October 8, 1964
[S. 1531]
78 Stat. 1042

To increase the appropriation authorization for the completion of the construction of the irrigation and power systems of the Flathead Indian irrigation project, Montana.

Flathead Indian irrigation project, Mont. Appropriation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 5(c) of the Act of May 25, 1948 (62 Stat. 269), is hereby amended by changing $1,000,000 to "$6,200,000 (December 1962 prices) plus or minus such amount, if any, as may be required by reason of changes in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein,".

Approved, October 8, 1964.

PUBLIC LAW 88-658

AN ACT

October 13, 1964
[S. 2968]
78 Stat. 1090

To amend subsection 120(f) of title 23, United States Code.

Highway repair and reconstruction Federal share
73 Stat. 613.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 120(f) of title 23, United States Code, is amended to read as follows:

"(f) The Federal share payable on account of any repair or reconstruction provided for by funds made available under section 125 of this title shall not exceed 50 per centum of the cost thereof: *Provided*,

That, in the case of any State containing nontaxable Indian lands, individual and tribal, and public domain lands (both reserved and unreserved) exclusive of national forests and national parks and monuments exceeding 5 per centum of the total area of all lands therein, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State, is of its total area: *Provided further*, That the Federal share payable on account of any repair or reconstruction of forest highways, forest development roads and trails, park roads and trails, and Indian reservation roads may amount to 100 per centum of the cost thereof, whether or not such highways, roads, or trails are on any Federal-aid highway system. Any project agreement for which the final voucher has not been approved by the Secretary on or before the date of this Act may be modified to provide for the Federal share authorized herein."

Approved, October 13, 1964.

October 13, 1964
[S. 3035]
78 Stat. 1093

PUBLIC LAW 88-663

AN ACT

To provide for the disposition of judgment funds now on deposit to the credit of the Red Lake Band of Chippewa Indias.

Red Lake Band of Chippewa Indians. Judgment funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Red Lake Band of Chippewa Indians that were appropriated by the Act of June 9, 1964, to pay a judgment by the Indian Claims Commission in docket 18A, and the interest thereon, after payment of attorney fees and expenses, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to Federal or State income tax.

Ante, p. 213.

Approved, October 13, 1964.

PRIVATE LAWS OF THE EIGHTY-EIGHTH CONGRESS, SECOND SESSION, 1964

August 20, 1964
[H. R. 11425]
78 Stat. 1172

PRIVATE LAW 88-293

AN ACT

To provide for the conveyance of ten acres of federally owned land on the White Earth Reservation to the Minnesota Annual Conference of the Methodist Church, and for other purposes.

Minnesota Annual Conference of the Methodist Church. Conveyance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in a tract of federally owned land located on the White Earth Reservation, Minnesota, described as: northwest quarter southwest quarter southwest quarter section 26, ⊥township 146 north, range 39 west, fifth principal meridian, Minnesota, containing 10 acres, more or less, which tract of land was donated to the United States in 1913 by the Northern Minnesota Conference of the Methodist Episcopal Church in the United States of America, is hereby reconveyed to the Minnesota Annual Conference of the Methodist Church, the donor's successor organization.

1117 3

Approved, August 20, 1964.

October 8, 1964
[H. R. 6233]
78 Stat. 1196

PRIVATE LAW 88-350

AN ACT

To provide for the conveyance of certain land of the United States to the Pascua Yaqui Association, Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey without monetary consideration to the Pascua Yaqui Association, Inc., an Arizona corporation, all right, title, and interest of the United States except as otherwise provided by section 3 of this Act in and to certain real property more particularly described in section 2 of this Act subject to the following conditions:

Pascua Yaqui Association, Inc.

⊥11197

(1) Such association shall use such property only in accordance with its corporate purposes set out in its original articles of incorporation.

(2) Title to such property shall be held by such association for the common benefit of all the members of such association and no part of such property shall ever be conveyed for the benefit of any private organization, association, group, or individual, except that a parcel of not to exceed fifteen acres may be conveyed to the county of Pima, State of Arizona, or a political subdivision thereof, for use as a site for a school.

(3) Such other conditions as the Secretary of the Interior shall deem necessary to protect the interest of the United States.

If any condition imposed by this section is breached at any time, all of the real property conveyed under authority of this Act shall revert to the United States.

SEC. 2. The real property referred to in section 1 of this Act is more particularly described as follows:

Township 15 south, range 12 east, Gila and Salt River meridian, Arizona:

Section 24: Lots 1 and 2, the west half of the northeast quarter; and the southeast quarter of the northwest quarter, being a total of approximately 202.76 acres.

SEC. 3. Any patent issued under this Act shall contain a reservation to the United States of any of the following named minerals for which the land as of the date of issuance of patent is deemed by the Secretary of the Interior to be valuable or prospectively valuable: coal, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), oil, gas, oil shale, phosphate, sodium, and potassium, together with the right of the United States, its lessees, permittees, or licensees to prospect for, mine, and remove them under applicable provisions of law.

SEC. 4. Nothing in this Act shall make such Yaqui Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Yaqui Indians.

Approved, October 8, 1964.

PUBLIC LAWS OF THE EIGHTY-NINTH CONGRESS, FIRST SESSION, 1965

PUBLIC LAW 89-14

AN ACT

April 22, 1965
[H. R. 4778]

To increase the amounts authorized for Indian adult vocational education.

79 Stat. 74

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act relative to employment for certain adult Indians on or near Indian reservations", approved August 3, 1956 (25 U. S. C. 309a), is amended by striking out "$12,000,000" and inserting in lieu thereof "$15,000,000".

77 Stat. 471

Approved, April 22, 1965.

April 30, 1965
[H. R. 7091]
79 Stat. 81

PUBLIC LAW 89-16

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1965") for the fiscal year ending June 30, 1965, and for other purposes, namely:

Second Supplemental Appropriation Act, 1965

* * *

CHAPTER V—DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $600,000.

RESOURCES MANAGEMENT

For an additional amount for "Resources management", $1,031,000.

CONSTRUCTION

For an additional amount for "Construction", $1,910,000, to remain available until expended: *Provided,* That not to exceed $30,000 shall be available for purchase of land in the State of California outside the boundaries of existing Indian reservations.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For an additional amount for "Road construction (Liquidation of contract authorization)", $1,000,000, to remain available until expended.

* * *

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PUBLIC HEALTH SERVICE

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For an additional amount for "Construction of Indian health facilities", $500,000, to remain available until expended.

* * *

TITLE III—INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1965, for increased pay costs authorized by or pursuant to law, as follows:

* * *

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

* * *

Public Health Service:

* * *

"Indian health activities", $1,320,000;

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥103

Bureau of Indian Affairs:
"Education and welfare services", $1,497,000;
"General administrative expenses", $189,000;

* * *

⊥OTHER INDEPENDENT AGENCIES ⊥106

* * *

⊥Indian Claims Commission: "Salaries and expenses", $25,000; ⊥107

* * *

* * *

Approved, April 30, 1965.

PUBLIC LAW 89-19

AN ACT

May 15, 1965
[S. 60]

79 Stat. 110

To authorize the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to facilitate protection and provide interpretation of sites in the Nez Perce country of Idaho that have exceptional value in commemorating the history of the Nation.

Nez Perce National Historical Park, Idaho, designation

SEC. 2. To implement this purpose the Secretary of the Interior may designate as the Nez Perce National Historical Park various component sites in Federal and non-Federal ownership relating to the early Nez Perce culture, the Lewis and Clark Expedition through the area, the fur trade, missionaries, gold mining and logging, the Nez Perce war of 1877, and such other sites as he finds will depict the role of the Nez Perce country in the westward expansion of the Nation.

Acquisition of lands.

SEC. 3. The Secretary of the Interior may acquire by donation or with donated funds such lands, or interests therein, and other property which in his judgment will further the purpose of this Act and he may purchase with appropriated funds land, or interests therein, required for the administration of the Nez Perce National Historical Park: *Provided*, That he may purchase no more than one thousand five hundred acres in fee, and no more than one thousand five hundred acres in scenic easements. The Nez Perce Tribe's governing body, if it so desires, with the approval of the Secretary of the Interior, is authorized to sell, donate, or exchange tribal-owned lands held in trust needed to further purpose of this Act.

Tribal-owned lands

Inclusion of Indian trust land and Federal ownership sites

SEC. 4. (a) Indian trust land may be designated by the Secretary of the Interior for inclusion in the Nez Perce National Historical Park with the concurrence of the beneficial owner. Sites in Federal ownership under the administrative jurisdiction of other Government agencies may likewise be designated by the Secretary of the Interior for inclusion in the Nez Perce National Historical Park with the concurrence of the agency having administrative responsibility therefor, but such designation shall effect no transfer of administrative control unless the administering agency consents thereto. Not more than one thousand and five hundred acres overall shall be designated pursuant to the foregoing provisions of this subsection. The Secretary of the Interior may cooperate with the Nez Perce Tribe or the administering agency, as the case may be, in research into and interpretation of the significance of any site so designated and in providing desirable interpretive services and facilities and other facilities required for public access to and use and enjoyment of the site and in conservation of the scenic and other resources thereof.

Cooperative agreements with property owners

(b) The Secretary of the Interior may enter into cooperative agreements with the owners of property which, under the provisions of this

Act, may be designated for inclusion in Nez Perce National Historical Park as sites in non-Federal ownership, and he may assist in the preservation, renewal, and interpretation of the properties, provided the cooperative agreements shall contain, but not be limited to, provisions that: (1) the Secretary has right of access at all reasonable times to all public portions of the property for the purpose of conducting visitors through the property and interpreting it to the public, and (2) no changes or alterations shall be made in the properties, including buildings and grounds, without the written consent of the Secretary.

Administration.

SEC. 5. When the Secretary of the Interior determines that he has acquired title to, or interest in, sufficient properties or determines that [1]he has entered into appropriate cooperative agreements with owners of non-Federal properties, or any combination thereof including the designation of sites already in Federal ownership, he shall by publication in the Federal Register establish the Nez Perce National Historical Park and thereafter administer the Federal property under his administrative jurisdiction in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U. S. C. 1 et seq.), as amended and supplemented.

Publication in Federal Register

Cooperative agreements with the State of Idaho, etc.

SEC. 6. (a) In order to carry out the purpose of this Act the Secretary of the Interior may contract and make cooperative agreements with the State of Idaho, its political subdivisions or agencies, corporations, associations, the Nez Perce Tribe, or individuals, to protect, preserve, maintain, or operate any site, object, or property included within the Nez Perce National Historical Park, regardless of whether title thereto is in the United States: *Provided*, That no contract or cooperative agreement shall be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purposes.

Markers.

(b) To facilitate the interpretation of the Nez Perce country the Secretary is authorized to erect and maintain tablets or markers in accordance with the provisions contained in the Act approved August 21, 1935, entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes" (49 Stat. 666).

16 U. S. C. 461–467.

Appropriation.

SEC. 7. There are hereby authorized to be appropriated the sums of not more than $630,000 for the acquisition of lands and interests in land and not more than $1,337,000 for construction, restoration work, and other improvements at the Nez Perce National Historical Park under this Act.

Approved, May 15, 1965.

PUBLIC LAW 89-28

May 27, 1965
[S. 702]

AN ACT

79 Stat. 118

To provide for the disposition of judgment funds on deposit to the credit of the Quinaielt Tribe of Indians.

Quinaielt Tribe of Indians.
Judgment funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Quinaielt Tribe of Indians that were appropriated by the Act of January 6, 1964 (77 Stat. 857), to pay a judgment by the Indian Claims Commission in docket numbered 242, and the interest thereon, less litigation expenses, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any portion of such funds that may be distributed as per capita payments to the members of the tribe shall not be subject to Federal or State income tax.

Approved, May 27, 1965.

PUBLIC LAW 89-33

AN ACT

June 5, 1965
[S. 339]

79 Stat. 123

To provide for the establishment of the Agate Fossil Beds National Monument in the State of Nebraska, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for the benefit and enjoyment of present and future generations the outstanding paleontological sites known as the Agate Springs Fossil Quarries, and nearby related geological phenomena, to provide a center for continuing paleontological research and for the display and interpretation of the scientific specimens uncovered at such sites, and to facilitate the protection and exhibition of a valuable collection of Indian artifacts and relics that are representative of an important phase of Indian history, the Secretary of the Interior is authorized to acquire by donation, or by purchase with donated or appropriated funds, or otherwise, title or a lesser interest in not more than three thousand one hundred and fifty acres of land in township 28 north, range 55 west, sixth principal meridian, Sioux County, Nebraska, for inclusion in the Agate Fossil Beds National Monument in accordance with the boundary designation made pursuant to section 2 hereof, which boundary may include such right-of-way as is needed for a road between the Stenomylus Quarry site and the monument lands lying in section 3 or 10 of the said township and range.

Agate Fossil Beds National Monument, Nebr.
Establishment

SEC. 2. Within the acreage limitation of section 1, the Secretary may designate and adjust the boundaries of Agate Fossil Beds National Monument. When the Secretary finds that lands constituting an initially administrable unit are in Federal ownership, he shall establish such national monument by publication of notice thereof in the Federal Register, and any subsequent adjustment of its boundaries shall be effectuated in the same manner.

Acquisition of lands.

Publication in Federal Register

SEC. 3. The Agate Fossil Beds National Monument shall be administered by the Secretary of the Interior pursuant to the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U. S. C. 1 et seq.), as amended and supplemented.

Administration.

SEC. 4. There are hereby authorized to be appropriated the sums of not more than $301,150 for acquisition of lands and interests in land and not more than $1,842,000 for development in connection with the Agate Fossil Beds National Monument under this Act.

Appropriation

Approved, June 5, 1965.

PUBLIC LAW 89-52

AN ACT

June 28, 1965
[H. R. 6767]

79 Stat. 174

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes, namely:

Department of the Interior and Related Agencies Appropriation Act, 1966.

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

⊥BUREAU OF INDIAN AFFAIRS ⊥175

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services

for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops; $105,846,000: *Provided,* That not to exceed $85,000 of this appropriation shall be made available to the San Carlos Apache Indian Tribe for maintenance of law and order.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; ⊥ advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts, as authorized by law; $42,796,000.

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CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; $34,513,000, to remain available until expended: *Provided,* That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, and Utah outside of the boundaries of existing Indian reservations except lands authorized by law to be acquired for the Navajo Indian Irrigation Project: *Provided further,* That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations: *Provided further,* That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further,* That not to exceed $558,000 shall be for assistance to the Dunseith, North Dakota, Public School District No. 1, for construction of an addition to the Dunseith Public School.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, $17,445,000, to remain available until expended.

72 Stat. 906.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $4,520,000.

MENOMINEE EDUCATIONAL GRANTS

For grants to the State of Wisconsin or the County or Town of Menominee for school district costs, as authorized by the Act of April 4, 1962 (76 Stat. 53), $44,000.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and

Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian ⊥employees of the ⊥177
Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a curator for the Osage Museum, who shall be appointed with the approval of the Osage Tribal Council and without regard to the classification laws: *Provided,* That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided further,* That funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims shall not be available for advances, except for such amounts as may be necessary to pay attorney fees, expenses of litigation, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds will be used: *Provided, however,* That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation, except as provided for by the Act of July 24, 1956 (70 Stat. 627).

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed two hundred and ten passenger motor vehicles (including seventy-five for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year), of which one hundred and eighty-six shall be for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), the Act of August 3, 1956 (70 Stat. 986), 49 Stat. 1458
and legislation terminating Federal supervision over certain Indian 25 U. S. C. 309, 309a
tribes; and expenses required by continuing or permanent treaty provisions.

* * *

⊥OFFICE OF THE SOLICITOR ⊥185

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $4,487,000, and in addition, not to exceed $147,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided,* That hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedures Act (60 Stat. 237), as amended. 5 U. S. C. 1001 note

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⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PUBLIC HEALTH SERVICE

INDIAN HEALTH ACTIVITIES

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (68 Stat. 674), as amended; purchase of not to exceed twenty-three passenger motor vehicles for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by ⊥the Secretary; and the purposes set forth in section 301 (with respect to research conducted at facilities financed by this appropriation), 321, 322(d), 324, and 509 of the Public Health Service Act; $66,193,000.

42 U. S. C. 2001-2004a.

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42 U. S. C. 241, 248, 249, 251, 227.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U. S. C. 2004a); $13,950,000, to remain available until expended.

73 Stat. 267.

* * *

INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U.S.C. 70), creating an Indian Claims Commission, $347,000, of which not to exceed $10,000 shall be available for expenses of travel.

60 Stat. 1049

* * *

Approved, June 28, 1965.

PUBLIC LAW 89-54

AN ACT

June 28, 1965
[H. R. 3165]

79 Stat. 195

To authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes.

Pecos National Monument, N. Mex. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to set apart and preserve for the benefit and enjoyment of the American people a site of exceptional historic and archeological importance, the Secretary of the Interior may accept on behalf of the United States the donation of approximately three hundred and forty-two acres of land, or interests therein, including the remains and artifacts of the seventeenth century Spanish mission and ancient Indian pueblo near Pecos, New Mexico, for administration as the Pecos National Monument.

SEC. 2. The Secretary shall administer, protect, and develop the national monument in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U. S. C. 1 et seq.), as amended and supplemented.

Appropriation.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $500,000, as are required for construction of facilities and excavation and stabilization of the ruins in the Pecos National Monument under this Act.

Approved, June 28, 1965.

PUBLIC LAW 89-94

AN ACT

July 27, 1965
[S. 1462]

79 Stat. 285

To authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of August 27, 1935 (49 Stat. 887), as amended by section 5 of the Act of June 20, 1938 (52 Stat. 779), by the Act of April 24, 1946 (60 Stat. 121), and by the Act of May 29, 1956 (70 Stat. 221), authorizing the Secretary of the Interior to provide by agreement with the Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, for the payment of operation and maintenance charges on newly reclaimed Pueblo Indian lands and lands purchased by the United States by virtue of the Act of June 7, 1924 (43 Stat. 636), as amended, for certain Pueblo Indians, are hereby extended for an additional period of ten years to 1975.

Middle Rio Grande Conservancy District, N. Mex.
Payment contract

Approved, July 27, 1965.

PUBLIC LAW 89-107

AN ACT

August 4, 1965
[H. R. 5860]

79 Stat. 432

To amend the law relating to the final disposition of the property of the Choctaw Tribe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 25, 1959 (73 Stat. 420), as amended by Act of August 24, 1962 (76 Stat. 405), is amended as follows: The words "six years", which appear twice in section 1(a), once in section 1(d), once in section 11, once in section 12(a), and once in section 12(b), are changed to "nine years."

Choctaw Indians.
Property disposition
25 U. S. C. 355 note

Approved, August 4, 1965.

PUBLIC LAW 89-117

AN ACT

August 10, 1965
[H. R. 7984]

79 Stat. 451

To assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing and Urban Development Act of 1965".

Housing and Urban Development Act of 1965.

* * *

⊥TITLE III—URBAN RENEWAL ⊥474

* * *

WORKABLE PROGRAM REQUIREMENT

SEC. 302.

68 Stat. 623.
42 U. S. C. 1451

* * *

(b) Section 101(c) of such Act is amended by adding at the end thereof the following new sentence: "Notwithstanding any other provision of law, in the case of a contract with an Indian tribe, band, or nation (or a public housing or other public agency for such tribe, band, or nation established under State or tribal law), the workable program and minimum standards housing code, referred to in the preceding sentence, may be presented to the Administrator by such ⊥tribe, band, or nation, and it shall be subject to the requirements of ⊥475 law with respect to such program and code only to the extent that

such tribe, band, or nation has the legal jurisdiction and power to carry out such requirements."

* * *

1489 ⊥TITLE VII—COMMUNITY FACILITIES

PURPOSE

SEC. 701. The purpose of this title is to assist and encourage the communities of the Nation fully to meet the needs of their citizens by
1490 ⊥making it possible, with Federal grant assistance, for their governmental bodies (1) to construct adequate basic water and sewer facilities needed to promote the efficient and orderly growth and development of our communities, (2) to construct neighborhood facilities needed to enable them to carry on programs of necessary social services, and (3) to acquire, in a planned and orderly fashion, land to be utilized in connection with the future construction of public works and facilities.

* * *

DEFINITIONS

SEC. 706. As used in this title—

* * *

(b) The term "local public bodies and agencies" include public corporate bodies or political subdivisions; public agencies or instrumentalities of one or more States, municipalities, or political subdivisions of one or more States (including public agencies and instrumentalities of one or more municipalities or other political subdivisions of one or more States); Indian tribes; and boards or commissions established under the laws of any State to finance specific capital improvement projects.

Approved, August 10, 1965.

PUBLIC LAW 89-130

AN ACT

August 19, 1965
[S. 893]
79 Stat. 543

To amend the Act of June 19, 1935 (49 Stat. 388), as amended, relating to the Tlingit and Haida Indians of Alaska.

Indians, Tlingit and Haida

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 19, 1935 (49 Stat. 388), is amended by deleting sections 1, 7, and 8 thereof and substituting new sections 1, 7, and 8, to read as follows: "For the purposes of this Act the Tlingit and Haida Indians of Alaska shall be defined to be all those Indians of Tlingit or Haida blood who reside in the various local communities or areas in the United States or Canada.

Central Council, organization

"SEC. 7. Upon submission to the Secretary of the Interior by the existing organization known as the Central Council of the Tlingit and Haida Indians of Alaska or by a committee duly appointed by such central council, of rules prescribing the method of election of delegates to the central council which the Secretary finds to be equitable and to be designed to assure, to the extent feasible, fair representation on the central council to persons of Tlingit or Haida blood who reside in the
1544 various local communities or areas in the United States or Can-⊥ada, the Secretary, in his discretion, is authorized to approve such rules. The Central Council of Tlingit and Haida Indians, composed of delegates elected in accordance with such approved rules and their duly elected successors in office, shall be the official Central Council of Tlingit and Haida Indians for purposes of this Act. Any amendments to such rules shall be subject to the approval of the Secretary.

Judgment funds.

"SEC. 8. The amount of the appropriation made to pay any judg-

ment in favor of said Tlingit and Haida Indians of Alaska shall be deposited in the Treasury of the United States to the credit of the Tlingit and Haida Indians of Alaska, and such funds shall bear interest at the rate of 4 per centum per annum. Such funds including the interest thereon shall not be available for advances, except for such amounts as may be necessary to pay attorney fees, expenses of litigation, organizational, operating and administrative expenses of the official Central Council, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds shall be used. The Council is authorized to prepare plans for the use of said funds, and to exercise such further powers with respect to the advance, expenditure, and distribution of said funds as may be authorized by Congress. In order to facilitate the prompt use and distribution of said funds, the Secretary of the Interior, pursuant to such rules and regulations as he may prescribe, is authorized and directed to prepare a roll of all persons of Tlingit or Haida blood who reside in the various local communities or areas of the United States or Canada on the date of this Act. The costs of preparing such roll incurred subsequent to the appropriation to pay any judgment shall be deducted from such judgment funds. Any part of such funds that may be distributed per capita to persons of Tlingit or Haida blood shall not be subject to Federal or State income taxes."

Definition.

SEC. 2. As used in the Act of June 19, 1935, as amended by this Act, the terms "Indians of Tlingit or Haida blood who reside in the various local communities or areas in the United States or Canada" and "persons of Tlingit or Haida blood who reside in the various local communities or areas in the United States or Canada" mean only persons of Tlingit or Haida blood residing in a local community or area in the United States or Canada who were legal residents of the Territory of Alaska on June 19, 1935, or prior thereto, or who are descendants of persons of Tlingit or Haida blood who were legal residents of the Territory of Alaska on June 19, 1935, or prior thereto.

Approved, August 19, 1965.

PUBLIC LAW 89-136

AN ACT

August 26, 1965
[S. 1648]

79 Stat. 552

To provide grants for public works and development facilities, other financial assistance and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Works and Economic Development Act of 1965".

Public Works and Economic Development Act of 1965

* * *

TITLE I—GRANTS FOR PUBLIC WORKS AND DEVELOPMENT FACILITIES

SEC. 101 (a) Upon the application of any State, or political subdivision thereof, Indian tribe, or private or public nonprofit organization or association representing any redevelopment area or part thereof, the Secretary of Commerce (hereinafter referred to as the Secretary) is authorized—

(1) to make direct grants for the acquisition or development of land and improvements for public works, public service, or development facility usage, and the acquisition, construction, rehabilitation, alteration, expansion, or improvement of such facilities, including related machinery and equipment, within a redevelopment area, if he finds that—

(A) the project for which financial assistance is sought will directly or indirectly (i) tend to improve the opportunities, in

the area where such project is or will be located, for the successful establishment or expansion of industrial or commercial plants or facilities, (ii) otherwise assist in the creation of additional long-term employment opportunities for such area, or (iii) primarily benefit the long-term unemployed and members of low-income families or otherwise ⊥substantially further the objectives of the Economic Opportunity Act of 1964:

⊥553

78 Stat. 508.
42 U. S. C. 2701 note.

(B) the project for which a grant is requested will fulfill a pressing need of the area, or part thereof, in which it is, or will be, located; and

(C) the area for which a project is to be undertaken has an approved overall economic development program as provided in section 202(b)(10) and such project is consistent with such program;

(2) to make supplementary grants in order to enable the States and other entities within redevelopment areas to take maximum advantage of designated Federal grant-in-aid programs (as hereinafter defined), direct grants-in-aid authorized under this section, and Federal grant-in-aid programs authorized by the Watershed Protection and Flood Prevention Act (68 Stat. 666, as amended), and the eleven watersheds authorized by the Flood Control Act of December 22, 1944, as amended and supplemented (58 Stat. 887), for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share.

16 U. S. C. 1001 note.

33 U. S. C. 701–1 *et seq.*

* * *

⊥554

⊥TITLE II—OTHER FINANCIAL ASSISTANCE

PUBLIC WORKS AND DEVELOPMENT FACILITY LOANS

SEC. 201. (a) Upon the application of any State, or political subdivision thereof, Indian tribe, or private or public nonprofit organization or association representing any redevelopment area or part thereof, the Secretary is authorized to purchase evidence of indebtedness and to make loans to assist in financing the purchase or development of land ⊥and improvements for public works, public service, or development facility usage, including public works, public service, and development facility usage, to be provided by agencies of the Federal Government pursuant to legislation requiring that non-Federal entities bear some part of the cost thereof, and the acquisition, construction, rehabilitation, alteration, expansion, or improvement of such facilities, including related machinery and equipment, within a redevelopment area, if he finds that—

⊥555

(1) the project for which financial assistance is sought will directly or indirectly—

(A) tend to improve the opportunities, in the area where such project is or will be located, for the successful establishment or expansion of industrial or commercial plants or facilities,

(B) otherwise assist in the creation of additional long-term employment opportunities for such area, or

(C) primarily benefit the long-term unemployed and members of low-income families or otherwise substantially further the objectives of the Economic Opportunity Act of 1964;

78 Stat. 508.
42 U. S. C. 2701 note.

(2) the funds requested for such project are not otherwise available from private lenders or from other Federal agencies on terms which in the opinion of the Secretary will permit the accomplishment of the project;

(3) the amount of the loan plus the amount of other available

funds for such project are adequate to insure the completion thereof;

(4) there is a reasonable expectation of repayment; and

(5) such area has an approved overall economic development program as provided in section 202(b)(10) and the project for which financial assistance is sought is consistent with such program.

* * *

⊥LOANS AND GUARANTEES ⊥556

SEC. 202. (a)

* * *

(2) Such assistance shall be extended only to applicants, both private and public (including Indian tribes), which have been approved for such assistance by an agency or instrumentality of the State or political subdivision thereof in which the project to be financed is located, and which agency or instrumentality is directly concerned with problems of economic development in such State or subdivision.

* * *

⊥(9) Loan assistance shall not exceed 65 per centum of the aggregate cost to the applicant (excluding all other Federal aid in connection with the undertaking) of acquiring or developing land and facilities (including machinery and equipment), and of constructing, altering, converting, rehabilitating, or enlarging the building or buildings of the particular project, and shall, among others, be on the condition that— ⊥557

* * *

(B) not less than 15 per centum of such aggregate cost be supplied as equity capital or as a loan repayable in no shorter period of time and at no faster an amortization rate than the Federal financial assistance extended under this section is being repaid, and if such a loan is secured, its security shall be subordinate and inferior to the lien or liens securing such Federal financial assistance: *Provided, however,* That, except in projects involving financial participation by Indian tribes, not less than 5 per centum of such aggregate cost shall be supplied by the State or any agency, instrumentality, or political subdivision thereof, or by a community or area organization which is nongovernmental in character, unless the Secretary shall determine in accordance with objective standards promulgated by regulation that all or part of such funds are not reasonably available to the project because of the economic distress of the area or for other good cause, in which case he may waive the requirement of this provision to the extent of such unavailability, and allow the funds required by this subsection to be supplied by the applicant or by such other non-Federal source as may reasonably be available to the project:

* * *

⊥TITLE IV—AREA AND DISTRICT ELIGIBILITY ⊥560

PART A—REDEVELOPMENT AREAS

AREA ELIGIBILITY

SEC 401. (a) The Secretary shall designate as "redevelopment areas"—

* * *

(3) those additional Federal or State Indian reservations or trust or restricted Indian-owned land areas which the Secretary, after consultation with the Secretary of the Interior or an appropriate State

agency, determines manifest the greatest degree of economic distress on the basis of unemployment and income statistics and other appropriate evidence of economic underdevelopment:

Approved, August 26, 1965.

PUBLIC LAW 89-148

AN ACT

August 28, 1965
[H. R. 3320]
79 Stat. 589

To authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes.

Hubbell Trading Post National Historic Site, Ariz. Establishment

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of establishing the Hubbell Trading Post National Historic Site, the Secretary of the Interior is authorized to purchase with donated funds or funds appropriated for the purpose, at a price to be agreed upon between the Secretary and the owner or owners, not to exceed the fair market value, the site and remaining structures of the Hubbell Trading Post at Ganado, Arizona, including the contents of cultural and historical value, together with such additional land and interests in land as in his discretion are needed to preserve and protect the post and its invirons for the benefit and enjoyment of the public: *Provided,* That the total area so acquired shall not exceed one hundred and sixty acres: *Provided further,* That the amount of land retained for the purpose hereinbefore stated shall not be in excess of that amount of land reasonably required to carry out the purposes of this Act, and any excess land, together with water rights, shall be offered for sale to the Navajo Indian Tribe at a price per acre equal to the per-acre price paid for the total area, excluding structures and contents thereof.

Administration

SEC. 2. Upon a determination by the Secretary of the Interior that sufficient land, structures, and other property have been acquired by the United States for the national historic site, as provided in section 1 of this Act, such property shall be established as the Hubbell Trading Post National Historic Site, and thereafter shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended. An order of the Secretary, constituting notice of such establishment, shall be published in the Federal Register.

16 U. S. C. 1-4.
Publication in Federal Register

Appropriation.

SEC. 3. There are hereby authorized to be appropriated not more than $952,000 for the acquisition of lands and interests in land and the contents of the Hubbell Trading Post which are of cultural and historical value and for development costs in connection with the national historic site as provided in this Act.

Approved, August 28, 1965.

PUBLIC LAW 89-154

AN ACT

August 31, 1965
[H. R. 881]
79 Stat. 587

To authorize the establishment of the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument.

Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument, Tex. Establishment

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may designate, acquire and administer as a national monument lands and interests in lands comprising the Alibates Flint Quarries and the Texas Panhandle Pueblo Culture sites, together with any structures and improvements thereon, located in and around Potter County, Texas.

SEC. 2. (a) The property acquired under the provisions of the first section of this Act shall be set aside as a national monument for the benefit and enjoyment of the people of the United States and shall be designated as the Alibates Flint Quarries and Texas Panhandle

Pueblo Culture National Monument. The Secretary of the Interior shall administer, protect, and develop such monument, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935, as amended.

39 Stat. 535.
16 U. S. C. 1 *et seq.*

49 Stat. 666.
16 U. S. C. 461-467.

(b) In order to provide for the proper development and maintenance of such national monuments, the Secretary of the Interior is authorized to construct and maintain therein such markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 3. There is hereby authorized to be appropriated not to exceed $5,000 for the acquisition of land and not to exceed $260,000 for the development of the area.

Appropriation.

Approved, August 31, 1965.

PUBLIC LAW 89-190

AN ACT

September 17, 1965
[S. 795]

79 Stat. 821

To provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indian trust or restricted lands within the limits of the Lummi Indian diking project as established by the Act of March 18, 1926 (44 Stat. 211), may be included in, and may be assessed for operation and maintenance, betterment, and construction by, any diking and drainage district that may be formed under the diking and drainage laws of the State of Washington: *Provided,* That such Indian lands shall be assessed on the same basis that all other lands within the district are assessed. Such assessment may be collected in accordance with the laws of the State of Washington, except that no Indian trust or restricted lands shall be sold for the collection of an assessment without the consent of the Secretary of the Interior. If the Secretary refuses to consent to such sale, he shall pay the assessment out of any appropriation or fund available therefor. Any portion of such payment which the Secretary determines to be within the ability of the Indian owner to pay shall become a lien against the land, subject to the provisions of the Act of July 1, 1932 (47 Stat. 564).

Lummi Indian diking project lands.

25 U. S. C. 386a.

SEC. 2. (a) The Secretary of the Interior shall cancel all outstanding charges for construction, operation, and maintenance, including any interest or penalties, outstanding on the date this section becomes effective.

Outstanding charges, cancellation.

(b) All assessments against each tract of land within the project which on the date of this Act is in a trust or restricted status and which have heretofore been collected for construction, operation, and maintenance, including interest and penalties, and deposited in the Treasury shall be transferred on the books of the Treasury into an account that shall be available to the Secretary of the Interior to pay any assessments hereafter made against each such tract pursuant to this Act.

Transfer of funds.

(c) The provisions of subsections (a) and (b) of this section shall become effective on the date of approval of the organization by the Whatcom County commissioners of the new diking and drainage district.

(d) Operation and maintenance assessments shall continue to be made but their collection shall be suspended for not to exceed two years until the new diking and drainage district is formed. If the new

Operation and maintenance assessments.

district is formed within such two-year period such assessments shall be canceled. If the new district is not formed within such period the assessments shall be collected with interest and penalties thereafter accruing.

Conveyance.

SEC. 3. At such time as the diking drainage district covering the Indian trust and restricted lands within the Lummi diking project shall be established under the laws of Washington and shall be in operation, the Government shall thereupon be relieved of any further responsibility of whatever nature in connection with the operation and maintenance, betterment, or construction of any dikes, structures, drains, or any appurtenant works existing on the Lummi diking project, including any responsibility for damages that may result from the failure of any dikes, drains, structures, or appurtenant works heretofore or hereafter constructed. Any equipment and funds standing to the credit of the Lummi diking project on the books of the Secretary of the Interior at such time shall be paid and turned over

⊥822

⊥to such diking and drainage district if the owners of nonrestricted lands in the new district contribute an amount equal to the value of such equipment and funds. Any right, title, or interest of the United States in and to any of the dikes or other structures erected as part of the Lummi diking project, and the lands on which they are located, shall be deemed to be conveyed to the county of Whatcom, State of Washington, for the use and benefit of such diking and drainage district on the date the district is organized. The Bureau of Indian Affairs is directed to make available to such diking and drainage district or to the county of Whatcom any information, data, or documents which may assist in its organization or operation.

Hunting and fishing rights.

SEC. 4. Nothing in this Act shall be construed to affect the Lummi Indians' hunting or fishing rights.

Approved, September 17, 1965.

PUBLIC LAW 89-224

October 1, 1965
[S. 664]

79 Stat. 897

AN ACT

To provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes.

Klamath Tribe of Indians
Judgment funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to distribute in accordance with the provisions of this Act the funds appropriated in satisfaction of a judgment obtained by the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, hereinafter called the Klamath Tribe for the purposes of the administration of this Act, from the Indian Claims Commission against the United States in docket numbered 100, and all other funds heretofore or hereafter deposited in the United States Treasury to the credit of the Klamath Tribe or any of its constituent parts or groups, except the funds heretofore or hereafter set aside for the purpose of paying the usual and necessary expenses of prosecuting claims against the United States.

SEC. 2. (a) A distribution shall be made of the funds resulting from docket numbered 100, including interest, after deducting litigation expenses and estimated costs of distribution to all persons whose names appear on the final roll of the Klamath Tribe, which roll was closed and made final as of August 13, 1954 (68 Stat. 718). Except as provided in subsections (b), (c), (d), and (e) of this section, a share or portion of a share payable to a living adult shall be paid directly to such adult; (b) a share payable to a deceased enrollee shall be paid to his heirs or legatees upon the filing of proof of death and inheritance satisfactory to the Secretary of the Interior, whose findings and determinations upon such proof shall be final and conclusive: *Provided,* That amounts payable to deceased heirs amounting to $5 or less

25 U.S.C. 564

shall not be paid, and such amounts shall remain in the United States Treasury to the credit of the Klamath Tribe; (c) a share payable to an adult under legal disability shall be paid to his legal representative; (d) a share payable to a person previously found to be in need of assistance under the provisions of section 15 of the Act of August 13, 1954, may be paid directly to the individual or, if the Secretary deems it in the best interest of the individual, it may be added to the trust now in force on behalf of said individual, with concurrence of the trustee; and (e) a share or portion of a share payable to a person under age of majority as determined by the laws of the State of residence shall be paid to a parent, legal guardian, or trustee of such minor.

SEC. 3. Within sixty days of the date of approval of this Act, the Secretary of the Interior shall commence to pay the share due to each living person whose name appears on the final roll of August 13, 1954. As to members who have died since promulgation of the final roll of August 13, 1954, the Secretary shall mail a notice of distribution of funds and a form of presentation of a claim thereunder to all known heirs or legatees of such deceased enrollees. All such claims shall be filed with the area director of the Bureau of Indian Affairs, Portland, Oregon, within two years following the date of approval of this Act. From and after that date, all claims and the right to file claims for any distribution from the judgment in docket numbered 100 shall be forever barred.

SEC. 4. Funds remaining in the United States Treasury to the credit of the said Klamath Tribe, or any of its constitutent parts or groups, after the distribution of funds resulting from Indian Claims Commission docket numbered 100 as provided by sections 2 and 3 of this ⊥Act, ⊥898 together with any other funds which may be deposited in the United States Treasury, including without limitation funds accruing from other judgments against the United States (after payment of expenses, including attorney fees, payments for rights-of-way, trespass damages, or other revenues, together with any interest accrued thereon, shall, after deduction of the estimated cost of distribution, be distributed from time to time as determined by the Secretary to the members of the Klamath Tribe or to the members of any of its constitutent parts or groups in the same manner as provided in sections 2 and 3 of this Act.

SEC. 5. After all claims of the Klamath Tribe or any of its constituent parts or groups against the United States have been finally determined, appropriated, and distributed, as provided in sections 2, 3, and 4 of this Act; and after all litigation expenses (including attorney fees) and costs of distributions have been paid, any funds remaining in the United States Treasury to the credit of the Klamath Tribe or any of its constituent parts or groups which, in the discretion of the Secretary of the Interior are insufficient to justify a further distribution, shall be deposited in the miscellaneous receipts of the Treasury of the United States.

SEC. 6. The costs of distribution may be paid out of the deductions authorized by sections 2 and 4 of this Act. Any unused portion of such amounts shall remain in the United States Treasury to the credit of the Klamath Tribe.

SEC. 7. None of the funds distributed pursuant to this Act shall be subject to Federal or State income tax.

SEC. 8. The Secretary is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, October 1, 1965.

PUBLIC LAW 89-309

AN ACT

October 31, 1965
[H. R. 11588]

Making supplemental appropriations for the fiscal year ending June 30, 1966, and for other purposes.

79 Stat. 1133

Supplemental Appropriation Act, 1966

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1966") for the fiscal year ending June 30, 1966, and for other purposes, namely:

* * *

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⊥CHAPTER V—DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

For an additional amount for "Construction", $638,000, to remain available until expended.

* * *

⊥1139

⊥RELATED AGENCIES

* * *

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PUBLIC HEALTH SERVICE

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For an additional amount for "Construction of Indian Health Facilities", $146,000, to remain available until expended.

* * *

Approved, October 31, 1965.

PRIVATE LAWS OF THE EIGHTY-NINTH CONGRESS, FIRST SESSION, 1965

PRIVATE LAW 89-25

August 3, 1965
[H. R. 70]
79 Stat. 1342

AN ACT

To provide for the conveyance of approximately 80 acres of land to the heirs of Adam Jones, Creek Indian not enrolled.

Adam Jones heirs Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey in fee simple all of the right, title, and interest of the United States and of the Creek Tribe of Indians of Oklahoma in and to land described as the south half northwest quarter section 5, township 10 north, range 15 east, Indian meridian, Oklahoma, containing 80 acres, more or less, to the heirs of Adam Jones, Creek Indian not enrolled, in the proportions as determined by the county court of McIntosh County, Oklahoma, case numbered 5375, as follows:

Hattie Jones (wife), an undivided one-third interest; and Bobby R. Jones (son), Tommy Leon Jones (son), Carrie Lee Jones (daughter), Adam Jones, Junior (son), and Marietta Elciea Jones (granddaughter), each an undivided two-fifteenths interest.

Approved, August 3, 1965.

PRIVATE LAW 89-30

August 3, 1965
[H. R. 9041]
79 Stat. 1343

AN ACT

To restore to the heirs of the Indian grantor certain tribal land of the Iowa Tribe of Oklahoma.

Iowa Tribe of Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right,

title, and interest of the Iowa Tribe of Oklahoma in and to land described as the northeast quarter northeast quarter northeast quarter southeast quarter section 15, township 17 north, range 3 east, Indian meridian, Oklahoma, containing 2.50 acres, more or less, a part of the original trust allotment of Hy-gro-ahr-chey, deceased Iowa allottee numbered 28, heretofore donated by Jack Small Lincoln, a tribal member, to the tribe for community building purposes and no longer used for such purposes, is hereby declared to be held by the United States of America in trust for the heirs of the original grantor as follows:

Kate Murray (Lincoln), an undivided three-ninths interest; and Lydia May Lincoln, Abraham Lincoln, Charles Walter Lincoln, Alice Louise Lincoln, Will Rogers Lincoln, and Mary Lucille Lincoln, each an undivided one-ninth interest.

Approved, August 3, 1965.

PUBLIC LAWS OF THE EIGHTY-NINTH CONGRESS, SECOND SESSION, 1966

PUBLIC LAW 89-363

AN ACT

March 7, 1966
[S. 1904]
80 Stat. 30

To authorize the Secretary of the Interior to give to the Indians of the Pueblos of Acoma, Sandia, Santa Ana, and Zia the beneficial interest in certain federally owned lands heretofore set aside for school or administrative purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when the following identified lands (other than the mineral interests specifically excluded in the identification), which were set aside for school or administrative purposes, are no longer needed by the United States for the administration of Indian Affairs, the Secretary of the Interior is authorized to declare, by publication of a notice in the Federal Register, that the title of the United States to such lands and improvements shall thereafter be held in trust for the Indians of the Pueblos of Acoma, Sandia, Santa Ana, and Zia as follows:

Indians of certain Pueblos
Lands

Publication in Federal Register

(1) Acomita day school site comprising three and five-tenths acres, more or less, to the Indians of the Pueblo of Acoma;

(2) Sandia school site comprising sixty-three one-hundredths of an acre, more or less, to the Indians of the Pueblo of Sandia;

(3) Santa Ana school site comprising two and eighty-one one-hundredths acres, more or less, excluding mineral interests therein, located within the El Ranchito grant, to the Indians of the Pueblo of Santa Ana; and

⊥(4) Administrative site in the Borrego grant, comprising four hundred and twenty-eight acres, more or less, excluding minerals therein, to the Indians of the Pueblo of Zia. ⊥131

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of lands and improvements placed in a trust status under the authority of this Act should or should not be set off against any claim against the United States determined by the Commission. 25 U. S. C. 70a.

Approved, March 7, 1966.

PUBLIC LAW 89-364

JOINT RESOLUTION

March 8, 1966
[S. J. Res. 9]
80 Stat. 31

To cancel any unpaid reimbursable construction costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain non-Indian lands.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) all reimbursable construction costs heretofore incurred at the Wind River Indian

Wind River Indian irrigation project, Wyo.
Construction costs

irrigation project, Wyoming, shall be allocated against the total irrigable acreage in the project according to the present land classifications.

(b) The costs so allocated to land that passed out of Indian ownership prior to March 7, 1928, shall be canceled by the Secretary of the Interior if the patent from the United States contained no recital to the effect that the land is subject to irrigation construction charges, and the purchaser did not sign a contract to pay construction charges. Such cancellation, however, shall take effect with respect to any individual landowner when and only when the said owner obligates himself, his heirs, and assigns by contract satisfactory in form and substance to the Secretary that he will pay all reasonable construction charges incurred after the date of this Act in connection with the Wind River Indian irrigation project which are allocated to his land as provided in this Act and that such charges, if not paid, shall be a lien against the land.

Land subject to lien

(c) Land that passed out of Indian ownership prior to March 7, 1928, shall, if the patent from the United States contains a recital to the effect that the land is subject to irrigation construction charges, either past or future, be subject to a lien in favor of the United States for such charges.

Reimbursable construction charges.

(d) Reimbursable construction charges hereafter incurred at the Wind River Indian irrigation project, Wyoming, shall be allocated against all irrigable acreage in the project according to land classifications then in effect, shall be a lien against the land, and shall not be subject to cancellation on the ground that the land was conveyed with a paid-up construction charge. Any such paid-up construction charge shall be deemed to mean a construction charge incurred prior to the date of this Act.

Approved, March 8, 1966.

PUBLIC LAW 89-408

April 27, 1966
[S. 1938]
80 Stat. 132

AN ACT

To amend the Indian Long-Term Leasing Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended, is hereby amended as follows: After the words "Fort Mojave Reservation," insert the words "the Pyramid Lake Reservation,".

25 U S C 415

Approved, April 27, 1966.

PUBLIC LAW 89-426

May 13, 1966
[H. R. 14012]
80 Stat. 141

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1966, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1966") for the fiscal year ending June 30, 1966, and for other purposes, namely:

Second Supplemental Appropriation Act, 1966.

* * *

1150 **CHAPTER V—DEPARTMENT OF THE INTERIOR**

* * *

BUREAU OF INDIAN AFFAIRS

RESOURCES MANAGEMENT

For an additional amount for "Resources management", $755,000.

* * *

⊥TITLE II—INCREASED PAY COSTS ⊥151

For additional amounts for appropriations for the fiscal year 1966, for increased pay costs authorized by or pursuant to law, as follows:

* * *

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥155

Public Health Service:

* * *

"Indian health activities", $1,355,000;

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥156

Bureau of Indian Affairs:

"Education and welfare services", $1,202,400;

"General administrative expenses", $103,000;

* * *

Approved, May 13, 1966.

PUBLIC LAW 89-435

AN ACT

May 31, 1966
[H. R. 14215]
80 Stat. 170

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967, and for other purposes, namely:

Department of the Interior and Related Agencies Appropriation Act, 1967

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

⊥BUREAU OF INDIAN AFFAIRS ⊥171

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops; $114,690,300: *Provided,* That not to exceed $85,000 of this appropriation shall be made available to the San Carlos Apache Indian Tribe for maintenance of law and order.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the juris-⊥diction of the Bureau of Indian Affairs, including payment of ⊥172 irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts, as authorized by law; $44,086,000.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of

lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract: $56,118,000, to remain available until expended: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, and Utah outside of the boundaries of existing Indian reservations except lands authorized by law to be acquired for the Navajo Indian Irrigation Project: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations except such lands as may be required for replacement of the Wild Horse Dam in the State of Nevada: *Provided further*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed $468,000 shall be for assistance to the Maddock, North Dakota, Public School District No. 9 for construction of a public high school.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, $16,889,000, to remain available until expended.

72 Stat. 906

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $4,623,000.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a curator for the Osage Museum, who shall be appointed with the approval of the Osage Tribal Council and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided further*, That funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims shall not be available for advances, except for such amounts as may be necessary to pay attorney fees, expenses of litigation, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds will be used: *Provided, however*, That no part of this appropriation or other

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tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation, except as provided for by the Act of July 24, 1956 (70 Stat. 627).

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed ninety-three passenger motor vehicles (including thirty-five for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year), of which seventy shall be for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), the Act of August 3, 1956 (70 Stat. 986), and legislation terminating Federal supervision over certain Indian tribes; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458.
77 Stat. 471, 79 Stat. 74.
25 U. S. C. 309, 309a

* * *

⊥OFFICE OF THE SOLICITOR ⊥181

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $4,704,000, and in addition, not to exceed $152,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided*, That hereafter hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedures Act (60 Stat. 237), as amended.

5 U. S. C. 1001 note.

* * *

⊥TITLE II—RELATED AGENCIES ⊥183

* * *

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥185

PUBLIC HEALTH SERVICE

INDIAN HEALTH ACTIVITIES

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (68 Stat. 674), as amended: purchase of not to exceed sixteen passenger motor vehicles, of which twelve shall be for replacement only; hire of passenger motor vehicles and aircraft; purchase or reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 301 (with respect to research conducted at facilities financed by this appropriation), 321, 322(d), 324, and 509 of the Public Health Service Act; $73,671,000.

42 U. S. C. 2001-2004a

42 U. S. C. 241, 248, 249, 251, 227.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U. S. C. 2004a); $13,464,000, to remain available until expended: *Provided*, That such expenditures during the current or any subsequent fiscal

73 Stat. 267

year may, at the option of the Department of Health, Education, and Welfare, be made by the Department of the Interior as contracting agent.

* * *

80 Stat. 186

INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), creating an Indian Claims Commission, $382,000, of which not to exceed $10,000 shall be available for expenses of travel.

60 Stat. 1049.

* * *

Approved, May 31, 1966.

PUBLIC LAW 89-442

June 8, 1966
[H. R. 10476]
80 Stat. 194

AN ACT

To retrocede to the State of Kansas concurrent jurisdiction over Haskell Institute.

Haskell Institute, Kansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby retroceded to the State of Kansas by the United States concurrent jurisdiction over the site of Haskell Institute, at Lawrence, Kansas.

Approved, June 8, 1966.

PUBLIC LAW 89-445

June 9, 1966
[H. R. 12264]
80 Stat. 198

AN ACT

To declare that 99.84 acres of Government-owned land acquired for Indian administrative purposes is held by the United States in trust for the Apache Tribe of the Mescalero Reservation.

Indians.
Apache Tribe.
Lands in trust.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in and to a tract of land situated in sections 27 and 28, township 13 south, range 12 east, New Mexico principal meridian, and improvements thereon, formerly used for Indian administrative purposes, are hereby declared to be held by the United States in trust for the Apache Tribe of the Mescalero Reservation, New Mexico, subject to valid existing rights, and subject to the right of the United States to use any of said land and improvements for governmental purposes for the benefit of the Indians. The land is within the Mescalero Reservation and is commonly known as small holding claim numbered 485, United States Land Office serial numbered Las Cruces 07366, containing approximately 99.84 acres. It is identified on supplemental plats of survey of sections 27 and 28, township 13 south, range 12 east, New Mexico principal meridian, New Mexico, accepted April 30, 1936, as "Private Claim 485".

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

25 U. S. C. 70a.

Approved, June 9, 1966.

PUBLIC LAW 89-459

June 20, 1966
[H. R. 10431]
80 Stat. 211

AN ACT

To declare that certain federally owned land is held by the United States in trust for the Minnesota Chippewa Tribe.

Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title,

and interest of the United States in land heretofore used in connection with the White Earth Indian Boarding School described as the southwest quarter northeast quarter section 23, township 142 north, range 41 west, fifth principal meridian, Becker County, Minnesota, comprising 40 acres, excepting all improvements thereon that are the property of individual tribal members, are hereby declared to be held by the United States in trust for the Minnesota Chippewa Tribe.

Chippewa Tribe, lands in trust

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

25 U.S.C. 70a

Approved, June 20, 1966.

PUBLIC LAW 89-524

AN ACT

August 1, 1966
[S. 2948]

To set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

80 Stat. 332

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the 487 acres, more or less, described below are hereby declared to be held in trust for the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

Indians.
Confederated Salish and Kootenai Tribes, Mont.
Lands

PRINCIPAL MERIDAN, MONTANA

Township 18 north, range 21 west, section 8, lot 7; section 17, lot 2.

The areas described aggregate 66.54 acres.

Township 19 north, range 23 west, section 31, northeast quarter southwest quarter.

The area described contains 40 acres.

Beginning at the southwest corner of southeast quarter southeast quarter section 14, township 18 north, range 20 west, principal meridian, from the initial point—

north 0 degrees 01 minutes west, 660 feet, east 330 feet,
north 0 degrees 01 minutes west, 1,320 feet, east 990 feet,
south 0 degrees 01 minutes east, 275.9 feet,
south 59 degrees 0 minutes west, 849.6 feet,
south 45 degrees 33 minutes east, 43.1 feet,
south 58 degrees 50 minutes west, 96 feet,
south 31 degrees 10 minutes east, 130 feet,
south 56 degrees 37 minutes east, 298 feet,
south 0 degrees 22 minutes east, 72.7 feet,
north 56 degrees 37 minutes west, 377.6 feet,
south 0 degrees 22 minutes east, 462.8 feet,
north 89 degrees 35 minutes east, 314.3 feet,
south 0 degrees 22 minutes east, 589.5 feet,
west 858 feet to the point of beginning.

The tract as described contains 28.66 acres, more or less.

Township 21 north, range 20 west, section 36, southeast quarter southeast quarter, east half east half east half northeast quarter southwest quarter southwest quarter southeast quarter, north half southeast quarter southwest quarter southeast quarter, east half east half southwest quarter southeast quarter southwest quarter southeast quarter, southeast quarter southeast quarter southwest quarter southeast quarter, northeast quarter southwest quarter southeast quarter.

The areas described aggregate 58.4375 acres. 1333

Beginning at the northwest corner of section 1, township 20 north, range 20 west, principal meridian, Montana.

Thence from the initial point, east along north line of said section 1,660 feet, south 0 degrees 01 minutes east, 396 feet, west 660 feet, north 0 degrees 01 minutes west, 396 feet, to the point of beginning.

The area described contains 6 acres, more or less.

Township 22 north, range 24 west, section 33, southeast quarter southeast quarter.

The area described contains 40 acres.

Township 21 north, range 20 west, section 11, east half southeast quarter northeast quarter, section 12, northeast quarter northwest quarter, southwest quarter northwest quarter, south half northwest quarter northwest quarter, northeast quarter northwest quarter northwest quarter, south half northwest quarter northwest quarter northwest quarter, northeast quarter northwest quarter northwest quarter northwest quarter.

The areas described aggregate 137.5 acres.

Township 16 north, range 19 west, section 16, west half east half southwest quarter, northwest quarter southwest quarter.

The area described contains 80 acres.

Beginning at the southwest corner of section 16, township 16 north, range 19 west, from the initial point—

north 0 degrees 02 minutes west 1,320 feet, east 1,317.36 feet, south 0 degrees 02 minutes east 528 feet, west 462 feet, south 0 degrees 22 minutes east, 792 feet, west 857.34 feet, along section line to point of beginning, excepting east half northwest quarter northeast quarter southwest quarter southwest quarter and west half west half northeast quarter northeast quarter southwest quarter southwest quarter section 16, township 16 north, range 19 west.

The area described contains 29.725 acres, more or less.

The areas of the tracts listed above aggregate 486.8625 acres, more or less.

Effective date.

SEC. 2. This Act shall become effective when the Tribal Council of the Confederated Salish and Kootenai Tribes by resolution accepts the transfer of the property involved.

25 U S C 70a

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. The Court of Claims is directed to make the same determination in connection with any claim against the United States adjudicated by it.

Approved, August 1, 1966.

PUBLIC LAW 89-535

August 11, 1966
[S. 2412]

80 Stat. 346

AN ACT

To terminate use restrictions on certain real property previously conveyed to the city of Kodiak, Alaska, by the United States.

Kodiak, Alaska.
Real property restrictions, termination

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the restriction contained in the Act entitled "An Act to direct the Secretary of the Interior to convey abandoned school properties in the Territory of Alaska to local school officials", approved August 23, 1950 (64 Stat. 470), limiting the use of any real property conveyed under such Act to school or other public purposes, is hereby terminated with respect to that real property conveyed under such Act to the local school officials of Kodiak, Alaska, which property is more particularly described in United States survey numbered 1594: *Provided, however,* That all revenues derived from sales, leases, or other disposition of such lands or interests therein shall be used for public school purposes.

Approved, August 11, 1966.

PUBLIC LAW 89-554

AN ACT

September 6, 1966
[H. R. 10104]
80 Stat. 378

To enact title 5, United States Code, "Government Organization and Employees", codifying the general and permanent laws relating to the organization of the Government of the United States and to its civilian officers and employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws relating to the organization of the Government of the United States and to its civilian officers and employees, generally, are revised, codified, and enacted as title 5 of the United States Code, entitled "Government Organization and Employees", and may be cited as "5 U. S. C., § ", as follows:

Title 5, U. S. C. Government Organization and Employees.

TITLE V—GOVERNMENT ORGANIZATION AND EMPLOYEES

* * *

⊥PART III
EMPLOYEES ⊥407

* * *

⊥SUBPART D—PAY AND ALLOWANCES ⊥443

* * *

⊥CHAPTER 53—PAY RATES AND SYSTEMS ⊥457

* * *

⊥SUBCHAPTER II—EXECUTIVE SCHEDULE PAY RATES ⊥459

§ 5311. THE EXECUTIVE SCHEDULE

The Executive Schedule, which is divided into five pay levels, is the basic pay schedule for positions to which this subchapter applies.

* * *

⊥§ 5316. POSITIONS AT LEVEL V ⊥463

Level V of the Executive Schedule applies to the following positions, for which the annual rate of basic pay is $26,000:

* * *

⊥(45) Commissioner of Indian Affairs, Department of the Interior. ⊥464
(46) Chief Commissioner, Indian Claims Commission.
(47) Associate Commissioners, Indian Claims Commission (2).

* * *

⊥SEC. 8. (a) The laws specified in the following schedule are repealed except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun, before the effective date of this Act and except as provided by section 7 of this Act. ⊥632

(b) The right to a deferred annuity on satisfaction of the conditions attached thereto is continued notwithstanding the repeal of the law conferring the right.

(c) The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.

Schedule of Laws Repealed

⊥Date	Public Law	Section	Statutes at Large Volume	Page
	*	* *		
1939—				
	*	* *		
June 6	185		53	810
	*	* *		
1940—				
	*	* *		
Apr. 11	79		54	105
	*	* *		
⊥Oct. 21				
	*	* *		
Do	906		54	1206
	*	* *		
⊥1949				
	*	* *		
Oct. 14	691	101–109	63	854–861
	*	* *		
⊥1960				
	*	* *		
June 29	86-533	(1)	74	245
	*	* *		

Approved, September 6, 1966.

PUBLIC LAW 89–574

September 13, 1966
[S. 3155]

80 Stat. 766

AN ACT

To authorize appropriations for the fiscal years 1968 and 1969 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Federal Aid Highway Act of 1966.

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1966".

* * *

⊥767

⊥AUTHORIZATIONS

SEC. 6. For the purpose of carrying out the provisions of title 23 of the United States Code, the following sums are hereby authorized to be appropriated:

* * *

(8) For Indian reservation roads and bridges, $19,000,000 for the fiscal year ending June 30, 1968, and $23,000,000 for the fiscal year ending June 30, 1969.

* * *

Approved, September 13, 1966.

PUBLIC LAW 89–592

September 19, 1966
[S. 3354]

80 Stat. 814

AN ACT

To amend the law establishing the revolving fund for expert assistance loans to Indian tribes.

Indians.
Loans.

25 U. S. C. 70n–1.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriation authorization in section 1 of the Act of November 4, 1963 (77 Stat. 301), is hereby amended by changing "$900,000" to "$1,800,000".

Approved, September 19, 1966.

PUBLIC LAW 89-635

AN ACT

October 10, 1966
[S. 1356]

80 Stat. 880

To amend the Judicial Code to permit Indian tribes to maintain civil actions in Federal district courts without regard to the $10,000 limitations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 28, United States Code, is hereby amended by inserting in chapter 85 thereof immediately after section 1361, a new section to be designated section 1362, as follows:

U. S. Courts.
Indians, civil jurisdiction.
62 Stat. 930.

"§ 1362. INDIAN TRIBES

"The district courts shall have original jurisdiction of all civil actions, brought by any Indian tribe or band with a governing body duly recognized by the Secretary of the Interior, wherein the matter in controversy arises under the Constitution, laws, or treaties of the United States."

SEC. 2. The chapter analysis of chapter 85 of title 28 of the United States Code is amended by adding at the end thereof the following new item:

"1362. Indian tribes."

Approved, October 10, 1966.

PUBLIC LAW 89-653

AN ACT

October 14, 1966
[H. R. 8034]

80 Stat. 903

Authorizing the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wisconsin, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to compensate the State of Wisconsin and its political subdivisions for extraordinary expenses occasioned by the termination of Federal supervision over the affairs of the Menominee Tribe of Indians by the Act of June 17, 1954 (68 Stat. 250), as amended, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1967, and for each of the three succeeding fiscal years and, when appropriated, to be paid by the Secretary of Health, Education, and Welfare to the State of Wisconsin—

Menominee Indians.
Grants

74 Stat. 867.
25 U. S. C. 891.

(a) on account of joint school district costs, $150,000 per annum;

(b) on account of public welfare benefits (including administrative costs, public assistance, indigent medical care services, child welfare, veterans services, surplus commodities, general relief, and the services of State hospitals, mental institutions, and industrial schools), $100,000 per annum; and

(c) on account of health and sanitation services (including hospitalization of the tubercular, employment of a public health nurse and a sanitary aide, immunization against communicable diseases, collection and disposal of garbage and refuse, and collection and recording of vital statistics), $100,000 per annum.

The grants authorized by this section shall be made at such times, in such amounts and on such terms and conditions as the Secretary of Health, Education and Welfare deems appropriate. Payment of said sums, or any part of them, however, shall be conditioned on assurance by the State that its use thereof will supplement and will not replace or diminish State assistance that would otherwise be available for the purpose stated. The Secretary of Health, Education, and Welfare is authorized to issue such regulations as he may determine to be necessary to carry out the provisions of this section.

SEC. 2. (a) The Surgeon General of the Public Health Service, Department of Health, Education, and Welfare, is authorized to complete the construction of sanitation facilities in Menominee County, Wisconsin, which construction was commenced by the Secretary of Health, Education, and Welfare pursuant to the authority contained in the Act of April 4, 1962 (76 Stat. 53).

Appropriation.

(b) There is hereby authorized to be appropriated the sum of $450,000 to carry out the provisions of this section.

Approved, October 14, 1966.

PUBLIC LAW 89-655

AN ACT

October 14, 1966
[H. R. 10633]

80 Stat. 905

To provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes.

Quileute and Hoh Indian Tribes.
Judgment funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Quileute and Hoh Tribes that were appropriated by the Act of January 6, 1964 (77 Stat. 857), to pay a judgment by the Indian Claims Commission in docket numbered 155, and the interest thereon, after payment of attorney fees and expenses, shall be divided on the basis of tribal membership rolls for the respective groups after approval of such rolls by the Secretary of the Interior, and the funds so divided, including the interest thereon, may be advanced or expended for any purpose that is authorized by the respective tribal governing bodies and approved by the Secretary of the Interior: *Provided,* That until the Hoh Indians develop a formal organization with a recognized governing body, their share of the judgment funds, and any other Hoh tribal funds, may be expended by the Secretary for the benefit of the Hoh Reservation and the Hoh tribal members, upon approval by him of plans adopted by a majority of the adult Hoh Indians voting at a general meeting of the tribal membership called by the Secretary.

Membership rolls, eligibility.

SEC. 2. The Secretary of the Interior shall prepare membership rolls for the Quileute and Hoh Tribes. No person shall be eligible to have his name placed on either membership roll who at the same time is a member of any other tribe, and no person shall be permitted to be enrolled in both the Quileute and Hoh Tribes: *Provided,* That persons eligible for enrollment or already enrolled with other tribes may relinquish that membership through filing a formal statement of relinquishment with the Secretary according to rules and regulations which he may prescribe.

Quileute Tribe.

SEC. 3. When preparing a Quileute tribal roll, the Secretary shall employ the criteria in article II of the approved constitution and bylaws of the Quileute Tribe of the Quileute Reservation, except that, in the absence of the 1935 census referred to in article II, section 1(a) of the constitution and bylaws, the Secretary, with the assistance of the governing body of the Quileute Tribe, shall construct a base roll from pertinent records, including other census data, of the same period. No person shall be eligible to have his name placed thereon if born after December 31, 1940. Upon approval of such base roll by the Secretary and the Quileute tribal governing body, it shall henceforth serve as the Quileute base roll for all purposes, the provisions of article II, section 1(a) notwithstanding.

Hoh Tribe.

SEC. 4. When preparing a Hoh tribal base roll, the Secretary shall include only the names of applicants who demonstrate that their names or the names of lineal ancestors from whom they are descended appear on the Census of the Hoh Indians of Neah Bay Agency, Washington, June 30, 1894. Upon approval by the Secretary, such roll shall henceforth serve as the Hoh base roll for all purposes.

SEC. 5. Upon completion of a Hoh base roll in accordance with section 4 of this Act, the Secretary shall assist the Hoh Indians in developing a tribal organizational document and shall call an election for the purpose of voting on the adoption of such document. Tribal organizational document.

SEC. 6. The Secretary is authorized to advance or expend, as provided in section 1 of this Act, the Hoh tribal funds now on deposit, or hereafter placed on deposit, in the Treasury of the United States under the following symbols and titles: Expenditures.

⊥14X7235 Proceeds of Labor, Hoh Indians, Washington; ⊥906
14X7735 Interest and Accruals on Interest, Proceeds of Labor, Hoh Indians, Washington.

SEC. 7. Any part of the funds that may be distributed to individual members of the Quileute and Hoh Tribes under the provisions of this Act shall not be subject to Federal or State income taxes. Income tax exemption.

SEC. 8. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act. Rules and regulations.

Approved, October 14, 1966.

PUBLIC LAW 89-656

AN ACT

October 14, 1966
[H. R. 12437]
80 Stat. 906

To provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements for eligibility: (a) They were born on or prior to and were living on the date of this Act, and (b) they are descendants of members of the Nooksack Tribe as it existed in 1855. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Portland, Oregon, on forms prescribed for that purpose. The determination of the Secretary regarding the utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final. Nooksack Tribe of Indians.
Judgment funds.

SEC. 2. After the deduction of attorney fees, litigation expenses, the costs of roll preparation, and such sums as may be required to distribute individual shares, the funds, including interest, remaining to the credit of the Nooksack Tribe, which were appropriated by the Act of April 30, 1965 (Public Law 89-16), shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 1 of this Act. 79 Stat. 81

SEC. 3. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee or in such manner as is deemed by the Secretary to be in the enrollee's best interest. The Secretary shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid to the persons whom the Secretary determines will best protect their interests. Proportional shares of heirs or legatees amounting to $5 of less shall not be distributed and shall remain to the credit of the Nooksack Tribe. Any sum of money remaining to the credit of the Nooksack Tribe as a result of this judgment, three years after the date of this Act, shall escheat to the United States and shall be deposited in the Treasury of the United States in miscellaneous receipts.

SEC. 4. The funds distributed under the provisions of this Act shall not be subject to Federal or State income tax. Income tax exemption

Rules and regulations.

SEC. 5. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, October 14, 1966.

PUBLIC LAW 89-659

October 14, 1966
[H. R. 7466]
80 Stat. 909

AN ACT

To provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes.

Miami Indians of Indiana and Oklahoma. Judgment funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall take the necessary steps to provide for the distribution and use of the money appropriated to the Miami Indians of Indiana and Oklahoma in satisfaction of judgments awarded by the Indian Claims Commission in dockets numbered 67 and 124, 124–A, and 251 as hereinafter provided.

Expenditure of funds

SEC. 2. The funds on deposit in the Treasury of the United States to the credit of the Miami Tribe of Oklahoma that were appropriated by the Act of September 30, 1961 (75 Stat. 747), to pay a judgment by the Indian Claims Commission in docket numbered 251, together with the interest thereon, after payment of attorney fees and expenses, shall be advanced or expended in accordance with plans adopted by the governing body of the Miami Tribe of Oklahoma and approved by the Secretary of the Interior. The persons entitled to share in any per capita payment authorized by the governing body and approved by the Secretary shall be all individuals who are enrolled members of the Miami Tribe of Oklahoma, as organized under the Oklahoma Welfare Act (49 Stat. 1967).

25 U. S. C. 501–509
Miami Indian ancestry rolls.

SEC. 3. For the purpose of determining entitlement to the judgment awarded in Indian Claims Commission docket numbered 124–A to the Miami Indians of Indiana and appropriated by the Act of September 30, 1961 (75 Stat. 747), the Secretary shall prepare a roll of all persons of Miami Indian ancestry who meet the following requirements for eligibility:

(a) They were born on or prior to, and living on, the date of this Act; and

(b) Their name or the name of an ancestor from whom they claim eligibility appears on the roll of Miami Indians of Indiana of June 12, 1895, or the roll of "Miami Indians of Indiana, now living in Kansas, Quapaw Agency, I. T., and Oklahoma Territory," prepared and completed pursuant to the Act of March 2, 1895 (28 Stat. 903), or the roll of the Eel River Miami Tribe of Indians of May 27, 1889, prepared and completed pursuant to the Act of June 29, 1888 (25 Stat. 223). No person whose name appears on the current tribal roll of the Miami Tribe of Oklahoma shall be eligible to be enrolled under this section.

SEC. 4. For the purpose of determining entitlement to the judgment awarded in Indian Claims Commission dockets numbered 67 and 124 and appropriated by the Act of May 17, 1963 (77 Stat. 43), the Secretary of the Interior shall prepare a roll of all persons of Miami Indian ancestry who meet the following requirements for eligibility:

(a) They were born on or prior to, and living on, the date of this Act; and

(b) Their name or the name of an ancestor from whom they claim eligibility appears on any of the rolls cited in section 3(b) of this Act, or on the roll of the Western Miami Tribe of Indians of June 12, 1891, prepared and completed pursuant to the Act of March 3, 1891 (26 Stat. 1000).

Enrollment applications.

SEC. 5. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Muskogee, Oklahoma, on forms prescribed for that purpose. The determination of the Secretary regarding the eligibility of an applicant shall be final.

Distribution of funds.

SEC. 6. The funds on deposit in the Treasury of the United States to the credit of the Miami Indians of Indiana that were appropriated ⊥by the Act of September 30, 1961 (75 Stat. 747), to pay a judgment in Indian Claims Commission docket numbered 124–A, and the interest thereon, after payment of attorney fees and expenses, shall be distributed to the individuals whose names appear on the roll prepared pursuant to section 3, and in accordance with the instructions contained in sections 8 and 9, of this Act.

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SEC. 7. The funds on deposit in the Treasury of the United States to the credit of the "Miami Tribe of Oklahoma" that were appropriated by the Act of May 17, 1963 (77 Stat. 43), to pay a judgment in Indian Claims Commission dockets numbered 67 and 124, and the interest thereon, after payment of attorney fees and expenses, shall be distributed to the persons whose names appear on the roll prepared pursuant to section 4, and in accordance with the instructions contained in sections 8 and 9, of this Act.

Payment provisions.

SEC. 8. (a) Except as provided in subsection (b) of this section, the Secretary shall distribute a per capita share payable to a living enrollee directly to such enrollee, and the Secretary shall distribute a per capita share payable to a deceased enrollee directly to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) A share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

Reserve funds for expenses.

SEC. 9. (a) Prior to making any distribution of the funds credited to the Miami Tribe or Nation and the Miami Tribe of Indiana or approving any expenditures of the funds credited to the Miami Tribe of Oklahoma, pursuant to this Act, the Secretary is authorized to reserve in the Treasury of the United States a part of such funds sufficient, in his judgment, to meet the litigation expenses, exclusive of attorney fees, of the remaining cases which each has pending before the Indian Claims Commission.

(b) The funds reserved shall be available for appropriate withdrawal by the Secretary.

Income tax exemption.

SEC. 10. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes, and any costs incurred by the Secretary in the preparation of the rolls and in the distribution of per capita shares in accordance with the provisions of this Act shall be paid by appropriate withdrawals from the judgment funds.

Rules and regulations.

SEC. 11. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, October 14, 1966.

PUBLIC LAW 89–660

AN ACT

October 14, 1966
[H. R. 10747]
80 Stat. 910

To provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket numbered 109, and for other purposes.

Duwamish Tribe of Indians
Judgment funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements for eligibility: (a) They were born on or prior to and living on date of this Act, and (b) they are descendants of members of the Duwamish Tribe as it existed in 1855. Applications for enrollment must be filed with the area director of the Bureau of Indian ⊥Affairs, Portland, Oregon, on forms prescribed for that purpose. The determi-

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nation of the Secretary regarding the utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

Equal share distribution

SEC. 2. After the deduction of attorney fees, litigation expenses, the costs of roll preparation, and such sums as may be required to distribute individual shares, the funds, including interest, remaining to the credit of the Duwamish Tribe, which were appropriated by the Act of June 9, 1964 (78 Stat. 213), shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 1 of this Act.

SEC. 3. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee or in such manner as is deemed by the Secretary to be in the enrollee's best interest. The Secretary shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid to the persons whom the Secretary determines will best protect their interests. Proportional shares of heirs or legatees amounting to $5 or less shall not be distributed, and shall escheat to the United States. In the event that the sum of money reserved by the Secretary to pay the costs of distributing the individual shares exceeds the amount actually necessary to accomplish this purpose, such funds shall also escheat to the United States.

Income tax exemption

SEC. 4. The funds distributed under the provisions of this Act shall not be subject to Federal or State income tax.

Rules and regulations

SEC. 5. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, October 14, 1966.

PUBLIC LAW 89-661

AN ACT

October 14, 1966
[H. R. 10674]
80 Stat. 911

To provide for the disposition of funds appropriated to pay a judgment in favor of the Otoe and Missouria Tribe of Indians, and for other purposes.

Otoe and Missouria Tribe of Indians. Judgment funds

78 Stat. 204.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Otoe and Missouria Tribe of Indians that were appropriated by the Act of June 9, 1964, to pay a judgment by the Indian Claims Commission in docket numbered 11–A, and the interest thereon, less payment of attorney fees and expenses, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed to the members of the tribe shall not be subject to Federal or State income taxes. The sum of $150,000, and any accrued interest thereon, shall be held in the United States Treasury pending final determination of the Yankton Sioux claim in docket numbered 332–A. Any portion of such sum that is determined to belong to the Otoe and Missouria Tribe shall thereupon become subject to the foregoing provisions of this Act.

Income tax exemption.

Approved, October 14, 1966.

PUBLIC LAW 89-663

AN ACT

October 14, 1966
[H. R. 3596]
80 Stat. 913

To provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians.

Skokomish Tribe of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended

balance of funds on deposit in the Treasury of the United States to the credit of the Skokomish Tribe of Indians that were appropriated by the Act of January 6, 1964 (77 Stat. 857), to pay a judgment granted by the Indian Claims Commission in docket numbered 296 and the interest thereon, less litigation expenses, may be advanced or expended for any purpose that is authorized by the Skokomish tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed to the members of the tribe shall not be subject to the Federal or State income tax.

Judgment funds

Income tax exemption

Approved, October 14, 1966.

PUBLIC LAW 89-664

AN ACT

October 15, 1966
[S. 491]
80 Stat. 913

To provide for the establishment of the Bighorn Canyon National Reservation Area, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to provide for public outdoor recreation use and enjoyment of the proposed Yellowtail Reservoir and lands adjacent thereto in the States of Wyoming and Montana by the people of the United States and for preservation of the scenic, scientific, and historic features contributing to public enjoyment of such lands and waters, there is hereby established the Bighorn Canyon National Recreation Area to comprise the area generally depicted on the drawing entitled "Proposed Bighorn Canyon National Recreation Area", LNPMW-010A-BC, November 1964, which is on file in the Office of the National Park Service, Department of the Interior.

Bighorn Canyon National Recreation Area, establishment

(b) As soon as practicable after approval of this Act, the Secretary of the Interior shall publish in the Federal Register a detailed description of the boundaries of the area which shall encompass, to the extent practicable, the lands and waters shown on the drawing referred to in subsection (a) of this section. The Secretary may subsequently make adjustments in the boundary of the area, subject to the provisions of subsection 2(b) of this Act, by publication of an amended description in the Federal Register.

Boundaries, Publication in Federal Register

SEC. 2. (a) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange, or otherwise, lands and interests in lands within the boundaries of the area. The Secretary is further authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein outside of the boundaries of the area in the vicinity of Lovell, Wyoming, for development and use, pursuant to such special regulations as he may promulgate, as a visitor contact station and administrative site. In the exercise of his exchange authority the Secretary may accept title to any non-Federal property within the area and convey in exchange therefor any federally owned property under his jurisdiction in the States of Montana and Wyoming which he classifies as suitable for exchange or other disposal, notwithstanding any other provision of law. Property so exchanged shall be approximately equal in fair market value: ⊥*Provided,* That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged. Any property or interest therein owned by the State of Montana or the State of Wyoming or any political subdivision thereof within the recreation area may be acquired only by donation or exchange.

Acquisition of land.

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(b) No part of the tribal mountain lands or any other lands of the Crow Indian Tribe of Montana shall be included within the recreation area unless requested by the council of the tribe. The Indian lands so included may be developed and administered in accordance with the laws and rules applicable to the recreation area, subject to any

Crow Indian tribal lands

limitation specified by the tribal council and approved by the Secretary.

Recreational facilities

(c) (1) Notwithstanding any other provisions of this Act or of any other law, the Crow Indian Tribe shall be permitted to develop and operate water-based recreational facilities, including landing ramps, boathouses, and fishing facilities, along that part of the shoreline of Yellowtail Reservoir which is adjacent to lands comprising the Crow Indian Reservation. Any such part so developed shall be administered in accordance with the laws and rules applicable to the recreation area, subject to any limitations specified by the tribal council and approved by the Secretary. Any revenues resulting from the operation of such facilities may be retained by the Crow Indian Tribe.

"Shoreline."

(2) As used in this subsection, the term "shoreline" means that land which borders both Yellowtail Reservoir and the exterior boundary of the Crow Indian Reservation, together with that part of the reservoir necessary to the development of the facilities referred to in this subsection.

Administration.

SEC. 3. (a) The Secretary shall coordinate administration of the recreation area with the other purposes of the Yellowtail Reservoir project so that it will in his judgment best provide (1) for public outdoor recreation benefits, (2) for conservation of scenic, scientific, historic, and other values contributing to public enjoyment and (3) for management, utilization, and disposal of renewable natural resources in a manner that promotes, or is compatible with, and does not significantly impair, public recreation and conservation of scenic, scientific, historic, or other values contributing to public enjoyment.

(b) In the administration of the area for the purposes of this Act, the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

Hunting, fishing areas.

SEC. 4. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the recreation area in accordance with the appropriate laws of the United States and of the States of Montana or Wyoming to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment, and except that nothing in this section shall impair the rights under other laws of the Crow Tribe and its members to hunt and fish on lands of the Crow Tribe that are included in the recreation area, or the rights of the members of the Crow Tribe to hunt and fish under section 2(d) of the Act of July 15, 1958. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Montana Fish and Game Department or the Wyoming Game and Fish Commission.

72 Stat. 363.

Appropriation

SEC. 5. There is hereby authorized to be appropriated not more than $355,000 for the acquisition of land and interests in land pursuant to this Act.

Approved, October 15, 1966.

PUBLIC LAW 89-689

October 15, 1966
[H. R. 17787]

80 Stat. 1002

AN ACT

Making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1967, for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, and for other purposes, namely: Public Works Appropriation Act, 1967

* * *

⊥TITLE II—DEPARTMENT OF THE INTERIOR ⊥1006

* * *

GENERAL INVESTIGATIONS

For engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the reconstruction, rehabilitation, and betterment, financial adjustment, or extension of existing projects, including not to exceed $450,000 for investigations of projects in Alaska, to remain available until expended, $15,075,000, of which $13,473,000 shall be derived from the reclamation fund and $500,000 shall be derived from the Colorado River development fund: *Provided*, That none of this appropriation shall be used for more than one-half of the cost of an investigation requested by a State, municipality, or other interest: *Provided further*, That not to exceed $35,000 of this appropriation shall be available for payment to the Salt River Pima-Maricopa and Ft. McDowell Indian tribes for economic studies in connection with the potential construction of Orme Dam on the Salt River in Arizona: *Provided further*, That $425,000 of this appropriation shall be transferred to the Bureau of Sport Fisheries and Wildlife for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563–565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Bureau of Reclamation. Restriction 16 U. S. C. 661 note

* * *

Approved, October 15, 1966.

PUBLIC LAW 89-697

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes.

October 27, 1966
[H. R. 18381]
80 Stat. 1057

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1967") for the fiscal year ending June 30, 1967, and for other purposes, namely: Supplemental Appropriation Act, 1967

* * *

⊥CHAPTER IV—DEPARTMENT OF THE INTERIOR ⊥1059

* * *

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $2,150,000.

* * *

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⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PUBLIC HEALTH SERVICE

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For an additional amount for "Construction of Indian health facilities", $1,025,000, to remain available until expended.

* * *

⊥1061

⊥CHAPTER V

* * *

⊥1062

⊥EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF ECONOMIC OPPORTUNITY

ECONOMIC OPPORTUNITY PROGRAM

For expenses necessary to carry out the provisions of the Economic Opportunity Act of 1964 (Public Law 88–452, approved August 20, 1964), as amended, $1,612,500,000, plus reimbursements, of which not more than $500,000 shall be available to carry out the purposes of part D of title III:

78 Stat. 508.
42 U. S. C. 2701 note.

* * *

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Provided further, That of the amount available under this paragraph ⊥for Health Centers and Narcotics Rehabilitation, $800,000 shall be transferred to the Department of Health, Education, and Welfare to carry out the provisions of the Act authorizing the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wisconsin, and for other purposes: *Provided further,* That this paragraph shall be effective only upon enactment into law of H.R. 15111, Eighty-ninth Congress, or similar legislation, except that the immediately preceding proviso shall be effective only upon the enactment into law, also, of H. R. 8034, Eighty-ninth Congress, or similar legislation.

Post, p. 1451.

Ante, p. 903.

* * *

Approved, October 27, 1966.

PUBLIC LAW 89–702

AN ACT

November 2, 1966
[S. 2102]

80 Stat. 1091

To protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas.

Fur Seal Act of 1966.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fur Seal Act of 1966".

TITLE I—CONSERVATION AND PROTECTION OF THE NORTH PACIFIC FUR SEALS

Prohibitions.

SEC. 101. It is unlawful, except as provided in this Act or by regulation of the Secretary of the Interior, for any person or vessel subject to the jurisdiction of the United States to engage in the taking of fur seals in the North Pacific Ocean or on lands or waters under the jurisdiction of the United States, or to use any port or harbor or other place under the jurisdiction of the United States for any purpose connected in any way with such taking, or for any person to transport, import, offer for sale, or possess at any port or place or on any vessel, subject to the jurisdiction of the United States, fur seals or the parts thereof, including, but not limited to, raw, dressed, or dyed fur seal skins, taken contrary to the provisions of this Act or the Convention,

or for any person subject to the jurisdiction of the United States to refuse to permit, except within the territorial waters of the United States, a duly authorized official of Canada, Japan, or the Union of Soviet Socialist Republics to board and search any vessel which is outfitted for the harvesting of living marine resources and which is subject to the jurisdiction of the United States to determine whether such vessel is engaged in sealing contrary to the provisions of said Convention. 8 UST 2283; 15 UST 316

SEC. 102. (a) Indians, Aleuts, and Eskimos who dwell on the coasts of the North Pacific Ocean are permitted to take fur seals and dispose of their skins in any manner after the skins have been officially marked and certified by a person authorized by the Secretary of the Interior, provided that the seals are taken only in canoes not transported by or used in connection with other vessels, and propelled entirely by oars, paddles, or sails, and manned by not more than five persons each, in the way hitherto practiced and without the use of firearms. Sealing permitted by Eskimos and Indians.

(b) The authority contained in this section shall not apply to Indians, Aleuts, and Eskimos who are employed by any person for the purpose of taking fur seals or are under contract to deliver the skins to any person.

SEC. 103. The Secretary of the Interior shall (1) conduct such scientific research and investigations on the fur seal resources of the North Pacific Ocean as he deems necessary to carry out the obligations of the United States under the Convention, and (2) permit, subject to such terms and conditions as he deems desirable, the taking, transportation, importation, exportation, or possession of fur seals or their parts for educational, scientific, or exhibition purposes. Fur seal resources, scientific research.

SEC. 104. (a) The Secretary shall (1) take and cure fur seal skins on the Pribilof Islands and on lands subject to the jurisdiction of the United States whenever he deems such taking and curing is necessary to carry out the provisions of the Convention or to manage the fur seal herd, (2) employ natives of the Pribilof Islands and, when necessary, other persons, for taking and curing of fur seal skins pursuant to this section, and compensate them at rates to be determined by the Secretary, (3) deliver to authorized agents of the parties such fur seal skins as the parties are entitled under the Convention, (4) ⊥utilize ⊥1092 such quantities of fur seal skins taken pursuant to this section or forfeited to, or seized by, the United States as the Secretary deems desirable for product development and market promotion, (5) provide for the disposal or destruction of any fur seal skins that are damaged or that are determined by the Secretary to have no value or use as luxury furs, (6) provide for the processing of such quantities of fur seal skins as he deems desirable, (7) provide from time to time for the sale, pursuant to such terms and conditions as the Secretary deems desirable, of fur seal skins and products of fur seals not otherwise used or disposed of pursuant to this Act, and (8) deposit into the Pribilof Islands fund in the Treasury the proceeds from such sales, except that the Secretary shall pay annually to the Commission the proceeds from the sales of any fur seal skins that are taken contrary to the provisions of this title and the regulations issued thereunder or that are forfeited to the United States. Authority of Interior Secretary.

(b) The Secretary is authorized to enter into agreements with any public or private agency or person for the purpose of carrying out the provisions of this title, other than for the purpose of taking fur seals. Agreements.

SEC. 105. (a) Any person authorized to enforce the provisions of this Act who has reasonable cause to believe that any vessel outfitted for the harvesting of living marine resources and subject to the jurisdiction of any of the parties to the Convention is violating the provisions of article III of the Convention may, except within the territorial waters of another nation, board and search such vessel. Such person shall carry a special certificate of identification issued by the Secre- Vessel search. 8 UST 2287.

tary of the Interior or Secretary of the Treasury which shall be in English, Japanese, and Russian and which shall be exhibited to the master of the vessel upon request.

Seizure or arrest.

(b) If, after boarding and searching such vessel, such person continues to have reasonable cause to believe that such vessel, or any person on board, is violating said article, he may seize such vessel or arrest such person, or both. The Secretary of State shall, as soon as practicable, notify the party having jurisdiction over the vessel or person of such seizure or arrest.

The Secretary of the Interior or the Secretary of the Treasury, upon request of the Secretary of State, shall deliver the seized vessel or arrested person, or both, as promptly as practicable to the authorized officials of said party: *Provided*, That whenever said party cannot immediately accept such delivery, the Secretary of the Interior or the Secretary of the Treasury may, upon request of the Secretary of State, keep the vessel or person under surveillance within the United States.

(c) At the request of said party, the Secretary of the Interior or the Secretary of the Treasury shall direct the person authorized o enforce the provisons of this Act to attend the trial as a witness in any case arising under said article or give testimony by deposition, and shall produce such records and files or copies thereof as may be necessary to establish the offense.

North Pacific Fur Seal Commission.
Appointment of Commissioner by President.

SEC. 106. The President shall appoint to the Commission a United States Commissioner who shall serve at the pleasure of the President. The President may also appoint a Deputy United States Commissioner who shall serve at the pleasure of the President. The Deputy Commissioner shall be the principal adviser of the Commissioner, and shall perform the duties of the Commissioner in the case of his death, resignation, absence, or illness. The Commissioner and the Deputy Commissioner shall receive no compensation for their services. The Commissioners may be paid travel expenses and per diem in lieu of subsistence at the rates authorized by section 5 of the Administra- ⊥1093 tive Expense Act of 1946 (5 U. S. C. 73b–2) when engaged in the performance of their duties.

60 Stat. 808; *Ante*, p. 653.

SEC. 107. The Secretary of State, with the concurrence of the Secretary of the Interior, is authorized to accept or reject, on behalf of the United States, recommendations made by the Commission pursuant to article V of the Convention.

SEC. 108. The head of any Federal agency is authorized to consult with and provide technical assistance to the Secretary of the Interior or the Commission whenever such assistance is needed and can reasonably be furnished in carrying out the provisions of this title. Any Federal agency furnishing assistance hereunder may expend its own funds for such purposes, with or without reimbursement.

Definitions.

SEC. 109. As used in this title, the term—

(a) "Convention" means the Interim Convention on the Conservation of North Pacific Fur Seals signed at Washington, on February 9, 1957, by the parties, as amended by the protocol signed at Washington, on October 8, 1963, by the parties,

8 UST 2283; 15 UST 316.

(b) "Party" or "parties" means the United States of America, Canada, Japan, and the Union of Soviet Socialist Republics,

(c) "Commission" means the North Pacific Fur Seal Commission established pursuant to article V of the convention.

(d) "Sealing" means the taking of fur seals,

(e) "North Pacific Ocean" means the waters of the Pacific Ocean north of the thirtieth parallel of north latitude, including the Bering, Okhotsk, and Japan Seas,

(f) "Import" means to land on, or bring into, or attempt to land on, or bring into any place subject to the jurisdiction of the United States.

TITLE II—ADMINISTRATION OF THE PRIBILOF ISLANDS

Conservation and management by Interior Secretary.

SEC. 201. The Pribilof Islands shall continue to be administered as a special reservation by the Secretary of the Interior for the purposes of conserving, managing, and protecting the North Pacific fur seals and other wildlife, and for other purposes.

Contract or agreement authority

SEC. 202. The Secretary, in carrying out the provisions of this title, is authorized to enter into contracts or agreements or leases with, or to issue permits to, public or private agencies or persons, including the natives of said islands, in accordance with such terms and conditions as he deems desirable for the use of any Government-owned real or personal property located on the Pribilof Islands, for the furnishing of accommodations for tourists and other visitors, for educational, recreational, residential, or commercial purposes, for the operation, maintenance, and repair of Government-owned facilities and utilities, for the transportation and storage of food and other supplies, and for such other purposes as the Secretary deems desirable.

SEC. 203. (a) In carrying out the provisions of this title, the Secretary is also authorized—

(1) to provide, with or without reimbursement, the natives of the Pribilof Islands with such facilities, services, and equipment as he deems necessary, including, but not limited to, food, fuel, shelter, transportation, and education,

Facilities for employees and dependents.

(2) to provide the employees of the Department of the Interior and other Federal agencies and their dependents, and tourists and other persons, at reasonable rates to be determined by the Secretary, with such facilities, services, and equipment as he deems necessary, including, but not limited to, food, fuel, shelter, transportation, and education,

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⊥(3) to purchase, transport, store, and distribute such supplies and equipment to carry out the provisions of this section as the Secretary deems necessary, and

(4) to purchase, construct, operate, and maintain such facilities as may be necessary to carry out the provisions of this section.

(b) The proceeds from the furnishing of facilities, services, supplies, and equipment pursuant to this section shall be credited to the appropriation current at the time the proceeds are received.

Alaska. Education, etc., for natives.

SEC. 204. (a) The Secretary is authorized to enter into an agreement with the Governor of the State of Alaska pursuant to which the State shall assume full responsibility for furnishing education to the natives of the Pribilof Islands. The Secretary is also authorized to enter into agreements with said Governor pursuant to which the State shall furnish to such natives adequate food, shelter, transportation, and such other facilities, services, and equipment as the Secretary deems necessary.

(b) Any agreement entered into pursuant to this section for the transfer to the State of the responsibility for furnishing education to the natives of the Pribilof Islands shall provide, in addition to such terms and conditions as the Secretary deems desirable, that the State of Alaska, in assuming such responsibility, shall meet the educational needs of the said natives in the same manner as the State meets the educational needs of all of its citizens, including the furnishing of necessary facilities therefor.

HEW Secretary. Medical and dental care.

SEC. 205. The Secretary of Health, Education, and Welfare shall provide medical and dental care to the natives of the Pribilof Islands, with or without reimbursement, as provided by other law. He is authorized to provide such care to Federal employees and their dependents and tourists and other persons in the Pribilof Islands at reasonable rates to be determined by him. He may purchase, lease, construct, operate, and maintain such facilities, supplies, and equipment as he deems necessary to carry out the provisions of this section

and the costs of such items, including medical and dental care, shall be charged to the budget of the Secretary of Health, Education, and Welfare. Nothing in this Act shall be construed as superseding or limiting the authority and responsibility of the Secretary of Health, Education and Welfare under the Act of August 5, 1954 (42 U. S. C. 2001 et seq.), as amended, or any other law with respect to medical and dental care of natives or other persons in the Pribilof Islands.

68 Stat. 674; 71 Stat. 371.

St. Paul Island. Townsite.

SEC. 206. (a) For the purpose of fostering self-sufficiency among the natives of the Pribilof Islands, and in order that they may enjoy local self-government, and to facilitate the establishment by such natives of a municipal corporation under the laws of the State of Alaska, the Secretary is authorized to set apart so much of the land on St. Paul Island as he determines necessary to establish a townsite. The Secretary shall survey the townsite into lots, blocks, streets, and alleys and he may issue a patent therefor to a trustee appointed by him, when he is satisfied that a viable self-governing community which is capable of providing adequate municipal services is established or will be established prior to the conveyance by the trustee of title to any property to the natives of the Pribilof Islands. The trustee is authorized to convey to the individual natives of the Pribilof Islands title to improved or unimproved lots or tracts of land within such townsite for homesite, commercial, or other purposes not inconsistent with the purpose for which the Secretary administers said islands, upon payment of an amount to be determined by the Secretary. Any deed issued by the trustee shall provide, in addition to such terms and conditions relating to the use of said lots or tracts as ⊥the Secretary deems necessary, that the title conveyed is inalienable for a period of twenty years from the date of conveyance except upon approval of the Secretary. Any deed issued after twenty years from the date of conveyance shall not require approval of the Secretary. Any lot or tract conveyed by the trustee to said natives shall not, except as provided in the Act of March 29, 1956 (70 Stat. 62; 25 U. S. C. 483a), be subject to levy and sale in satisfaction of the debts, contracts, or liabilities of the purchaser or to any claims of adverse possession or to claims of prescription, except that such lot or tract shall be subject to taxation and to levy and sale in satisfaction thereof under the laws of the State of Alaska.

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(b) In determining the amount to be paid for the purchase of lots or tracts under subsection (a) of this section, the Secretary shall consider the economic status of the natives of the Pribilof Islands, including the factor of isolation, the restrictive nature of the title to be conveyed, the improvements, if any, placed on the property by the purchaser and such other factors as he deems pertinent: *Provided*, That payment shall be made in accordance with such terms and conditions as the Secretary deems desirable.

Sale proceeds. Availability for municipal services.

(c) The net proceeds from the sale, pursuant to this section, of improved or unimproved lots or tracts shall be made available to the established local governing body to be used with other proceeds available to such body for the purpose of providing adequate municipal services to persons inhabiting the islands. In addition, at the close of the first fiscal year in which there is established a municipal corporation as provided in this section, the Secretary of the Interior shall certify to the Secretary of the Treasury for payment from the gross receipts of the Pribilof Islands fund, after deducting from such fund all costs to the United States in carrying out the provisions of this Act, the sum of $50,000 to such community to assist it in providing adequate municipal services, and, at the close of each succeeding four fiscal years, he shall pay from such fund the sums of $40,000, $30,000, $20,000, and $10,000, respectively.

Conveyance of unsold lands.

(d) Upon approval by the Secretary, the trustee shall convey, with or without reimbursement, any improved or unimproved land which was

authorized to be sold under subsection (a), and which is unsold five years after incorporation, and which is not needed in connection with the Federal activities on said islands, to the municipality for the purposes of this section: *Provided*, That a conveyance pursuant to this subsection shall be subject to such terms and conditions as the Secretary deems necessary to enable him to administer the Pribilof Islands as provided in this title.

(e) The trustee shall convey to the municipality at the time of incorporation all surveyed streets and alleys of the townsite. All deeds issued by the trustee shall contain a reservation to the trustee of rights-of-way for streets and alleys to be surveyed and established upon and across land conveyed to the natives of the Pribilof Islands whenever he determines that it would be in the interest of the native owner to establish such streets and alleys. Such reservation shall be for a term not to exceed ten years. In addition the Secretary may convey without reimbursement to the municipality such lands or interests therein outside the townsite boundaries for any purpose subject to such conditions as the Secretary deems desirable to carry out the purposes of this Act.

(f) The provisions of this section shall not affect any valid existing rights.

Penalties

SEC. 207. Any person who violates or fails to comply with any regulation issued by the Secretary of the Interior under this title relating ⊥to the use and management of the Pribilof Islands or to the conservation and protection of the fur seals or wildlife or other natural resources located thereon shall be fined not more than $500 or be imprisoned not more than six months, or both. ⊥1096

Services performed by natives

SEC. 208. (a) Service by natives of the Pribilof Islands engaged in the taking and curing of fur seal skins and other activities in connection with the administration of such islands prior to January 1, 1950, as determined by the Secretary of the Interior based on records available to him, shall be considered for purposes of credit under the Civil Service Retirement Act, as amended (5 U. S. C. 2251–2267), as civilian service performed by an employee, as defined in said Act. 70 Stat. 743; 5 U.S.C. prec. 659

(b) The annuity of any person or the annuity of the survivor of any person who shall have performed service described in subsection (a), and who prior to the date of enactment of this Act died or shall have been retired on annuity payable from the civil service retirement and disability fund, shall, upon application filed by the annuitant within one year after the date of enactment of this Act, be adjusted, effective as of the first day of the month immediately following the date of enactment of this Act, so that the amount of the annuity will be the same as if such subsection had been in effect at the time of such person's retirement or death.

(c) Section 4(g) of the Civil Service Retirement Act (5 U. S. C. 2254(g)) is amended by inserting after the words "military service" a comma and the following: "for service performed prior to January 1, 1950, by natives of the Pribilof Islands in the taking and curing of fur seal skins and other activities in connection with the administration of such islands,".

(d) In no case shall credit for the service described in subsection (a) entitle a person to the benefits of section 11(h) of the Civil Service Retirement Act (5 U. S. C. 2261(h)). 75 Stat. 771.

(e) Notwithstanding any other provision of this Act or any other law, benefits under the Civil Service Retirement Act made available by reason of the provisions of this section shall be paid from the civil service retirement and disability fund subject to reimbursement to such fund from the gross receipts of the Pribilof Islands fund, established in section 407 of this Act, for the purpose of compensating said retirement fund for the cost, as determined by the Civil Service Commission during each fiscal year, of benefits provided by this

section. This reimbursement to the civil service retirement fund shall be considered a cost of administering the fur seal program.

TITLE III—PROTECTION OF SEA OTTERS ON THE HIGH SEAS

SEC. 301. (a) It is unlawful, except as provided in this Act or by regulations issued by the Secretary of the Interior, for any person subject to the jurisdiction of the United States to take or engage in the taking of sea otters on the high seas beyond the territorial waters of the United States, or to possess, transport, sell, purchase, or offer to sell or purchase sea otters or their parts taken on the high seas, or to destroy, abandon, or waste needlessly sea otters on the high seas.

(b) The possession of sea otters or any part thereof by any person contrary to the provisions of this Act shall constitute prima facie evidence that the sea otter or part thereof was taken, purchased, sold, or transported in violation of the provisions of this Act or the regulations issued thereunder.

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Sea otter skins and products. Disposal.

⊥SEC. 302. The Secretary is authorized, from time to time, to sell, pursuant to such terms and conditions as he deems desirable, or otherwise dispose of, sea otter skins and all the products derived from sea otters that are forfeited to, or seized by, the United States pursuant to this Act, or that are taken by the Secretary on the high seas or within the Aleutian Islands National Wildlife Refuge. The proceeds of such sales shall be deposited in the Pribilof Islands fund in the Treasury.

TITLE IV—GENERAL

Seizures and forfeitures of cargo, etc.

SEC. 401. (a) Every vessel subject to the jurisdiction of the United States that is employed in any manner in connection with a violation of the provisions of this Act, including its tackle, apparel, furniture, appurtenances, cargo, and stores shall be subject to forfeiture and all fur seals or sea otters, or parts thereof, taken or retained in violation of this Act or the monetary value thereof shall be forfeited.

(b) All provisions of law relating to the seizure, summary and judicial forfeiture, and condemnation of a vessel, including its tackle, apparel, furniture, appurtenances, cargo, and stores for violation of the customs laws, the disposition of such vessel, including its tackle, apparel, furniture, appurtenances, cargo, and stores or the proceeds from the sale thereof, and the remission or mitigation of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this Act, insofar as such provisions of law are applicable and not inconsistent with the provisions of this Act.

Enforcement. Joint responsibility

SEC. 402. (a) Enforcement of the provisions of this Act is the joint responsibility of the Secretary of the Interior, the Secretary of the Treasury, and the Secretary of the Department in which the Coast Guard is operating. In addition, the Secretary of the Interior may designate officers and employees of the States of the United States to enforce the provisions of this Act which relate to persons or vessels subject to the jurisdiction of the United States. When so designated, such officers and employees are authorized to function as Federal law enforcement agents for these purposes, but they shall not be held and considered as employees of the United States for the purposes of any laws administered by the Civil Service Commission.

Issuance of warrants, etc.

(b) The judges of the United States district courts and the United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue such warrants or other process, including warrants or other process issued in admiralty proceedings in Federal district courts, as may be required for enforcement of this Act and any regulations issued thereunder.

(c) Any person authorized to carry out enforcement activities here-

under shall have the power to execute any warrant or process issued by any officer or court of competent jurisdiction for the enforcement of this Act.

(d) Such person so authorized shall have the power—

(1) with or without a warrant or other process, to arrest any person committing in his presence or view a violation of this Act or the regulations issued thereunder;

(2) with a warrant or other process or without a warrant, if he has reasonable cause to believe that a vessel subject to the jurisdiction of the United States or any person on board is in violation of any provision of this Act or the regulations issued thereunder, to search such vessel and to arrest such person.

⊥(e) Such person so authorized may seize any vessel subject to the jurisdiction of the United States, together with its tackle, apparel, furniture, appurtenances, cargo, and stores, used or employed contrary to the provisions of this Act or the regulations issued hereunder or which it reasonably appears has been used or employed contrary to the provisions of this Act or the regulations issued hereunder. ⊥1098

(f) Such person so authorized may seize, whenever and wherever lawfully found, all fur seals or sea otters taken or retained in violation of this Act or the regulations issued thereunder. Any fur seals so seized or forfeited to the United States pursuant to this Act shall be disposed of in accordance with the provisions of section 104, of this Act. Any sea otters so seized or forfeited to the United States pursuant to this Act shall be disposed of in accordance with the provisions of section 302 of this Act.

SEC. 403. The Secretary of the Interior is authorized to issue regulations to carry out the provisions of this Act.

SEC. 404. Any person violating the provisions of title I or III of this Act or the regulaions issued thereunder shall be fined not more than $2,000, or imprisoned not more than one year, or both. Penalties

SEC. 405. The Secretary of the Interior, in carrying out the provisions of this Act, is authorized to enter into contracts or agreements for research with any person or public or private agency. Contract or agreement authority.

SEC. 406. (a) The term "person" as used in this Act means any individual, partnership, corporation, or association. Definitions

(b) The terms "take" or "taking" or "taken" as used in this Act mean to pursue, hunt, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill.

(c) The term "natives of the Pribilof Islands" as used in this Act means any Indians, Aleuts, or Eskimos who permanently reside on said island.

(d) The term "Pribilof Islands" as used in this Act means the islands of St. Paul and St. George, Walrus and Otter Islands, and Sea Lion Rock.

SEC. 407. There is established a Pribilof Islands fund and there are authorized to be appropriated such sums as may be necessary from the fund and from other funds in the Treasury to carry out the provisions of this Act and the provisions of section 6 (e) of the Alaska Statehood Act which provides for the payment to the State of Alaska of certain specified proceeds deposited into said fund. Pribilof Islands fund, establishment. 72 Stat. 340. 48 U. S. C. Chap. 2 note.

SEC. 408. (a) The Act of February 26, 1944 (58 Stat. 100; 16 U. S. C. 631a–631q), is repealed. Repeal.

(b) The last three sentences of section 6(e) of the Alaska Statehood Act (72 Stat. 339) are amended to read as follows: "Commencing with the year during which Alaska is admitted into the Union, the Secretary of the Treasury, at the close of each fiscal year, shall pay to the State of Alaska 70 per centum of the net proceeds, as determined by the Secretary of the Interior, derived during such fiscal year from all sales of sealskins or sea otter skins made in accordance with the provisions of the Fur Seal Act of 1966. In arriving at the net proceeds, Alaska. Sealskins and sea otter skins. Disposition of proceeds from sales.

there shall be deducted from the receipts from all sales all costs to the United States in carrying out the provisions of the Fur Seal Act of 1966, including, but not limited to, the costs of handling and dressing the skins, the costs of making the sales, and all expenses incurred in the administration of the Pribilof Islands, and the payments made to any municipal corporation established pursuant to section 206 of the Fur Seal Act of 1966 and to the civil service retirement and disability
⊥1099 ⊥fund pursuant to section 208 of the Fur Seal Act of 1966. In administering the Pribilof Islands fund established by section 407 of the Fur Seal Act of 1966, the Secretary shall consult with the State of Alaska annually. Nothing in this Act shall be construed as affecting the rights of the United States under the provisions of the Fur Seal
80 Stat. 325 Act of 1966 and the Northern Pacific Halibut Act of 1937 (16 U. S. C. 772–772i)."

Approved, November 2, 1966, 8:07 a.m., Anchorage, Alaska.

PUBLIC LAW 89-707

November 2, 1966
[H. R. 872]
80 Stat. 1100

AN ACT

To amend the provisions of title 18 of the United States Code relating to offenses committed in Indian country.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1153,
Indians
Offenses
62 Stat. 758, 63 Stat. 94. offenses committed within Indian country, of title 18 of the United States Code is amended to read as follows:

"§ 1153. OFFENSES COMMITTED WITHIN INDIAN COUNTRY

"Any Indian who commits against the person or property of another Indian or other person any of the following offenses, namely, murder, manslaughter, rape, carnal knowledge of any female, not his wife, who has not attained the age of sixteen years, assault with intent to
⊥1101 ⊥commit rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny within the Indian country, shall be subject to the same laws and penalties as all other persons committing any of the above offenses, within the exclusive jurisdiction of the United States.

"As used in this section, the offenses of rape and assault with intent to commit rape shall be defined in accordance with the laws of the State in which the offense was committed, and any Indian who commits the offenses of rape or assault with intent to commit rape upon any female Indian within the Indian country shall be imprisoned at the discretion of the court.

"As used in this section, the offenses of burglary, assault with a dangerous weapon, and incest shall be defined and punished in accordance with the laws of the State in which such offense was committed."

62 Stat. 827, 63 Stat. 96 SEC. 2. Section 3242, Indians committing certain offenses; acts on reservations, of title 18 of the United States Code is amended to read as follows:

"§ 3242. INDIANS COMMITTING CERTAIN OFFENSES; ACTS ON RESERVATIONS

"All Indians committing any of the following offenses; namely, murder, manslaughter, rape, carnal knowledge of any female, not his wife, who has not attained the age of sixteen years, assault with intent to commit rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny on and within the Indian country shall be tried in the same courts, and in the same manner, as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States."

Approved, November 2, 1966.

PUBLIC LAW 89-715

AN ACT

November 2, 1966
[H. R. 7648]
80 Stat. 1112

To authorize long-term leases on the San Xavier and Salt River Pima-Maricopa Indian Reservations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any trust or restricted Indian lands, whether tribally or individually owned, located on the San Xavier Indian Reservation and the Salt River Pima-Maricopa Indian Reservation, in the State of Arizona, may be leased by the Indian owners, with the approval of the Secretary of the Interior, for public, religious, educational, recreational, residential, business, farming or grazing purposes, including the development or utilization of natural resources in connection with operations under such leases, but no lease shall be executed under this Act for purposes that are subject to the laws governing mining leases on Indian lands. The term of a grazing lease shall not exceed ten years, the term of a farming lease that does not require the making of a substantial investment in the improvement of the land shall not exceed ten years, and the term of a farming lease that requires the making of a substantial investment in the improvement of the land shall not exceed forty years. The term of any other lease shall not exceed ninety-nine years. No lease shall contain an option to renew which, if exercised, will extend the total term beyond the maximum term permitted by this Act. The Secretary of the Interior shall not approve any lease with a term that is longer than is necessary in his judgment to obtain maximum economic benefits for the Indian owners.

San Xavier and Salt River Pima-Maricopa Indian Reservations Leases.

SEC. 2. (a) Every lease entered into under the first section of this Act shall contain a covenant on the part of the lessee that he will not commit or permit on the leased land any act which causes waste or a nuisance or which creates a hazard to health of persons or to property, wherever such persons or property may be.

Covenant provision.

(b) The State of Arizona, or any political subdivision thereof contiguous with the San Xavier or Salt River Pima-Maricopa Indian Reservation, may bring suit, without regard to the amount in controversy, in the United States District Court for the District of Arizona to abate or enjoin any violation of the covenant required under section 2 (a) of this Act: *Provided,* That if, by reason of the citizenship of the parties and the law applicable to the cause of action, the District Court finds it lacks jurisdiction to hear and determine such suit, it may be brought in any court of competent jurisdiction of the State of Arizona.

Right to bring suit in U.S. District Court.

SEC. 3. (a) The Secretary of the Interior shall, before he approves any lease under this Act for public, religious, educational, recreational, business, or residential purposes and if he determines that such lease will substantially affect the governmental interests of a municipality described hereunder, notify the appropriate authorities of any municipality contiguous to the San Xavier or Salt River Pima-Maricopa Reservation, as the case may be, of the pendency of the proposed lease and, in his discretion, furnish them with an outline of the major provisions of the lease which affect such governmental interests and shall consider any comments on the terms of the lease affecting the municipality, or on the absence of such terms from the lease, that such authorities may offer within such reasonable period, but not more than thirty days, as the Secretary may prescribe in his notice to them.

Notification of lease provisions.

(b) It is the intent of the Congress that the terms under which lands located on the San Xavier and Salt River Pima-Maricopa Reservations are developed by non-Indian lessees shall, to the extent reasonably possible, be similar to those applicable under State or local ⊥law to the development of non-Indian lands in the municipalities contiguous thereto.

Non-Indian lessees.

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SEC. 4. Trust or restricted lands of deceased Indians located on the

Lands of deceased Indians.

San Xavier and Salt River Pima-Maricopa Reservations may be leased under this Act, for the benefit of their heirs or devisees, in the circumstances and by the persons prescribed in the Act of July 8, 1940 (54 Stat. 745; 25 U. S. C. 380): *Provided,* That if the authority of the Secretary under this section is delegated to a subordinate official, then any heir or devisee shall have to right to appeal the action of any such official to the Secretary under such rules and regulations as he may prescribe.

Payment of rent.

SEC. 5. No rent or other consideration for the use of land leased under this Act shall be paid or collected more than one year in advance, unless so provided in the lease.

SEC. 6. The Secretary of the Interior shall approve no lease pursuant to this Act that contains any provision that will prevent or delay a termination of Federal trust responsibilities with respect to the land during the term of the lease.

Land for public purposes.

SEC. 7. Individual or tribal owners of trust or restricted Indian land on the San Xavier and Salt River Pima-Maricopa Reservations may, with the approval of the Secretary, dedicate land to the public for streets, alleys, or other public purposes under those laws of the State of Arizona that are applicable to the dedication of land for public purposes.

Contract for water, sewerage, etc.

SEC. 8. The Papago Council and the Salt River Pima-Maricopa Community Council, with the approval of the Secretary of the Interior, may contract with the State of Arizona or its political subdivisions for the furnishing of water, sewerage, law enforcement, or other public services on terms and conditions deemed advantageous to the tribe and individual Indian landowners.

Zoning and building, etc., regulations.

SEC. 9. The Papago Council and the Salt River Pima-Maricopa Community Council, with the consent of the Secretary of the Interior, are hereby authorized, for their respective reservations, to enact zoning, building, and sanitary regulations covering the lands on their reservations for which leasing authority is granted by this Act in the absence of State civil and criminal jurisdiction over such particular lands, and said councils may contract with local municipalities for assistance in preparing such regulations.

Restrictions.

SEC. 10. Nothing contained in this Act shall—

(a) authorize the alienation, encumbrance, or taxation of any interest in real or personal property, including water rights, held in trust by the United States or held by an individual Indian, the Papago Tribe or the Salt River Pima-Maricopa Community subject to a restriction against alienation imposed by the United States, or any income therefrom: *Provided,* That the foregoing shall not affect the power to lease as provided in the first section of this Act or the power to dedicate as provided in section 7 of this Act and shall not affect or abridge any right of the State of Arizona or its political subdivisions to tax non-Indian leasehold and possessory interests, buildings, improvements and personal property located on the San Xavier and Salt River Pima-Maricopa Reservations and not owned by Papago or Pima-Maricopa Indians residing thereon;

(b) confer jurisdiction on the State of Arizona to adjudicate in probate proceedings or otherwise the ownership or right to possession of trust or restricted property or any interests therein;

(c) alter or abridge in any way the authority of public school districts to include areas within the San Xavier and Salt River Pima-Maricopa Reservation;

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⊥(d) be construed to repeal any authority to lease or mortgage trust or restricted Indian lands conferred by or pursuant to any other provision of law.

Mission San Xavier del Bac

SEC. 11. Nothing in this Act shall authorize the Secretary to approve any development which would detract from the scenic, his-

toric, and religious values of the Mission San Xavier del Bac owned by the Franciscan Order of Friars Minor and located on the San Xavier Reservation.

Approved, November 2, 1966.

PUBLIC LAW 89-717

AN ACT

November 2, 1966
[H. R. 8917]
80 Stat. 1114

To provide for the disposition of funds appropriated to pay a judgment in favor of the Omaha Tribe of Nebraska, and for other purposes.

Omaha Tribe of Indians
Judgement funds

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from the funds on deposit in the Treasury of the United States to the credit of the Omaha Tribe of Nebraska that were appropriated by the Act of June 9, 1964, to pay a judgment obtained by the tribe in Indian Claims Commission docket numbered 138, after deduction of attorney fees, litigation expenses, and such sums as may be required to distribute individual shares, the Secretary of the Interior shall make a per capita distribution of no more than $270 to each person living on the date of this Act whose name appears on the roll of the tribe prepared pursuant to Section 1 of the Act of September 14, 1961 (75 Stat. 508), and to each child living on the date of this Act who was born after September 14, 1961, and who possesses aboriginal Omaha blood of the degree of one-fourth or more except for any such child who is enrolled with any other tribe of Indians. The balance of such funds, and the interest thereon, may be advanced or expended for any purpose that ⊥is authorized by the tribal governing body and approved by the ⊥1115
Secretary. The amount of $150,000 of said funds and any interest thereon shall not be distributed, advanced or expended until said $150,000 and any interest thereon becomes available for disbursement pursuant to the terms of the final judgment dated April 14, 1964, by the Indian Claims Commission in docket numbered 138.

SEC. 2. Sums payable to persons or to their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures as the Secretary, after consultation with the tribal governing body, determines will adequately protect their best interests. Proportional shares of heirs or legatees amounting to $5 or less shall not be distributed and such amounts shall escheat to the Omaha Tribe of Nebraska.

SEC. 3. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

SEC. 4. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, November 2, 1966.

PUBLIC LAW 89-750

AN ACT

November 3, 1966
[H. R. 13161]
80 Stat. 1191

To strengthen and improve programs of assistance for elementary and secondary schools, and for other purposes.

Elementary and Secondary Education Amendments of 1966

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Amendments of 1966".

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

PART A—FINANCIAL ASSISTANCE TO EDUCATIONAL AGENCIES FOR THE EDUCATION OF CHILDREN OF LOW-INCOME FAMILIES

REVISION OF AUTHORIZATION

79 Stat. 27.
20 U. S. C. 241b.

SEC. 101. Section 202 of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended, is amended to read as follows:

"DURATION OF ASSISTANCE

"SEC. 202. The Commissioner shall, in accordance with the provisions of this title, make payments to State educational agencies for the period beginning July 1, 1965, and ending June 30, 1968."

GRANTS WITH RESPECT TO CERTAIN INDIAN CHILDREN

20 U. S. C. 241c.

SEC. 102. Section 203 (a) (1) of such Act of September 30, 1950, is amended to read as follows:

"SEC. 203. (a) (1) (A) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 207 (a) (other than payments under such section to jurisdictions excluded from the term 'State' by this subsection). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective need for such grants. In addition he shall allot from such amount to the Secretary of the Interior the amount necessary to make payments pursuant to subparagraph (B) of this paragraph, and for the fiscal year ending June 30, 1967, the amount necessary to meet the special educational needs of educationally deprived children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior. The maximum grant which a local educational agency in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be eligible to receive and the terms upon which payment shall be made to the Department of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

20 U. S. C. 241g.

"(B) The terms on which payment shall be made to the Department of the Interior shall include provision for payments by the Secretary of the Interior to local educational agencies with respect to out-of-State Indian children in the elementary or secondary schools of such agencies under special contracts with that Department. The amount of any such payment may not exceed, for each such child, ⊥one-half the average per pupil expenditure in the State in which the agency is located."

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* * *

⊥1199
79 Stat. 36.
20 U. S. C. 821–848.

⊥PART B—SCHOOL LIBRARY RESOURCES, TEXTBOOKS, AND OTHER INSTRUCTIONAL MATERIALS

APPROPRIATIONS AUTHORIZED

20 U. S. C. 821.

SEC. 121. Section 201 (b) of the Elementary and Secondary Education Act of 1965 (Public Law 89–10) is amended to read as follows:

"(b) For the purpose of making grants under this title, there are hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $125,000,000 for the fiscal year ending June 30, 1967, and $150,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

REVISION IN AUTHORIZATION FOR TITLE II, AND PROVISION FOR INDIAN CHILDREN IN SCHOOLS OPERATED BY THE DEPARTMENT OF THE INTERIOR

SEC. 122. Section 202 (a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: 20 U. S. C. 822.

"SEC. 202. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 201 (b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending June 30, 1967, he shall allot from such amount to (A) the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 201 (b), the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children enrolled in the public and private elementary and secondary schools of that State bears to the total number of children enrolled in such schools in all of the States. The number of children so enrolled shall be determined by the Commissioner on the basis of the most recent satisfactory data available to ⊥him. For purposes of this subsection, the term 'State' shall not ⊥1200 include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands."

* * *

⊥PART C—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES ⊥1201

APPROPRIATIONS AUTHORIZED

SEC. 131. Section 301 (b) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: 79 Stat. 39. 20 U. S. C. 841.

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $175,000,000 for the fiscal year ending June 30, 1967, and $500,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

REVISION IN AUTHORIZATION FOR TITLE III, AND PROVISION FOR INDIAN CHILDREN IN SCHOOLS OPERATED BY THE DEPARTMENT OF THE INTERIOR

SEC. 132. Section 302 (a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: 20 U. S. C. 842.

"SEC. 302. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall apportion the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending June 30, 1967, he

shall apportion from such amount to (A) the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 301 (b), the Commissioner shall apportion $200,000 to each State and shall apportion the remainder of such sums among the States as follows:

"(A) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

"(B) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands."

* * *

⊥TITLE II—FEDERALLY AFFECTED AREAS

PART A—AMENDMENTS TO PUBLIC LAW 874

* * *

⊥1214

⊥MAKING THE PROVISIONS RELATING TO INDIANS LIVING ON RESERVATIONS PERMANENT

78 Stat. 1109.
20 U. S. C. 644

SEC. 225. (a) The first sentence of section 14 (b) of such Act is amended by striking out "ending prior to July 1, 1966," and ", not to exceed $60,000,000 in the aggregate,".

(b) The third sentence of section 14 (b) is amended by striking out ", except that after June 30, 1966, no agreement may be made to extend assistance under this section".

* * *

Approved, November 3, 1966.

PUBLIC LAW 89-753

November 3, 1966
[S. 2947]

80 Stat. 1246

AN ACT

To amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Clean Water Restoration Act of 1966".

Clean Water Restoration Act of 1966.

* * *

TITLE II

* * *

⊥1251

70 Stat. 506, 79 Stat. 903.
33 U. S. C. 466j.

⊥SEC. 209. Paragraph (f) of section 13 of the Federal Water Pollution Control Act is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and an Indian tribe or an authorized Indian tribal organization."

* * *

Approved, November 3, 1966.

PUBLIC LAW 89-754

AN ACT

November 3, 1966
[S. 3708]
80 Stat. 1255

To assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Demonstration Cities and Metropolitan Development Act of 1966".

Demonstration Cities and Metropolitan Development Act of 1966.

* * *

⊥TITLE X—MISCELLANEOUS

⊥1284

* * *

ASSISTANCE FOR HOUSING IN ALASKA

SEC. 1004. (a) The Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to make loans and grants to the State of Alaska, or any duly authorized agency or instrumentality thereof, in accordance with a statewide program prepared by such State, agency, or instrumentality, and approved by the Secretary, to assist in the provision of housing and related facilities for Alaska natives and other Alaska residents who are otherwise unable to finance such housing and related facilities upon terms and conditions which they can afford. The program shall (1) specify the ⊥minimum and maximum standards for such housing ⊥1285 and related facilities (not to exceed an average of $7,500 per dwelling unit); (2) to the extent feasible, encourage the proposed users of such housing and related facilities to utilize mutual and self-help in the construction thereof; and (3) provide experience, and encourage continued participation, in self-government and individual home ownership.

(b) Grants under this section shall not exceed 75 per centum of the aggregate cost of the housing and related facilities to be constructed under an approved program.

(c) There is authorized to be appropriated not to exceed $10,000,000 to carry out the purposes of this section.

* * *

Approved, November 3, 1966.

PUBLIC LAW 89-794

AN ACT

November 8, 1966
[H. R. 15111]
80 Stat. 1451

To provide for continued progress in the Nation's war on poverty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Economic Opportunity Amendments of 1966".

Economic Opportunity Amendments of 1966.

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. (a) For purposes of carrying out the Economic Opportunity Act of 1964 (other than part C of title I thereof) there is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, the sum of—

78 Stat. 508.
42 U. S. C. 2701 note.

* * *

(3) $57,000,000 for carrying out title III,

* * *

⊥TITLE III—AMENDMENTS TO TITLE III OF THE ACT

⊥1464

RURAL AREAS—LOAN AUTHORITY AND INDEMNITY PAYMENTS

SEC. 301. (a) Section 302 (a) of the Act is amended by striking out

42 U. S. C. 2851.

"exceeding $2,500 in the aggregate" and inserting in lieu thereof "resulting in an aggregate indebtedness of more than $3,500 at any one time".

(b) Section 305 (f) of the Act is amended by—

(1) inserting "(1)" immediately after "*Provided*, That"; and

(2) inserting immediately before the period at the end thereof a semicolon and the following: "and (2) a cooperative organization formed by and consisting of members of an Indian tribe (including any tribe with whom the special Federal relationship with Indians has been terminated) engaged in the production of agricultural commodities, or in manufacturing products, on an Indian reservation (or former reservation in the case of tribes with whom the special Federal relationship with Indians has
⊥1465 been ⊥terminated) shall not be regarded as a cooperative organization within the purview of this clause".

78 Stat. 525, 79 Stat. 977. (c) Section 331 (c) of the Act is amended by striking out "June 30, 1966" and inserting in lieu thereof "June 30, 1967".

42 U. S. C. 2881.

TITLE III PROGRAMS—DURATION

42 U. S. C. 2871. SEC. 302. Part C of title III of the Act is amended to read as follows:

"PART C—DURATION OF PROGRAM

"SEC. 321. The Director shall carry out the programs provided for in this title during the fiscal year ending June 30, 1967, and the three succeeding fiscal years. For each such fiscal year only such sums may be appropriated as the Congress may authorize by law."

* * *

⊥1472 ⊥TITLE VIII—REVISION OF PROVISIONS RELATING TO VISTA

SEC. 801. The Act is amended by adding at the end thereof the following new title:

"TITLE VIII—VOLUNTEERS IN SERVICE TO AMERICA

"STATEMENT OF PURPOSE

"SEC. 801. It is the purpose of this title to enable and encourage volunteers to participate in a personal way in the war on poverty, by living and working among deprived people of all ages in urban areas,
⊥1473 ⊥rural communities, on Indian reservations, in migrant worker camps and Job Corps camps and centers; to stimulate, develop and coordinate programs of volunteer training and service; and, through such programs, to encourage individuals from all walks of life to make a commitment to combating poverty in their home communities, both as volunteers and as members of the helping professions.

"AUTHORITY TO ESTABLISH VISTA PROGRAM

"SEC. 802. (a) The Director is authorized to recruit, select, train, and—

"(1) upon request of State or local agencies or private nonprofit organizations, refer volunteers to perform duties in furtherance of programs combating poverty at a State or local level; and

"(2) in cooperation with other Federal, State, or local agencies involved, assign volunteers to work (A) in meeting the health, education, welfare, or related needs of Indians living on reservations, of migratory workers and their families, or of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands; (B) in the care and rehabilitation of the mentally ill or mentally retarded under treatment at non-

profit mental health or mental retardation facilities assisted in their construction or operation by Federal funds; and (C) in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act.

"(b) The referral or assignment of volunteers under this section shall be on such terms and conditions (including restrictions on political activities that appropriately recognize the special status of volunteers living among the persons or groups served by programs to which they have been assigned) as the Director may determine; but volunteers shall not be so referred or assigned to duties or work in any State, nor shall programs under section 805 be conducted in any State without the consent of the Governor."

⊥TITLE XI—AMENDMENTS TO CERTAIN OTHER ACTS

⊥1476

* * *

⊥1477

⊥SEC. 1102. Clause (3) of section 401 (b) of the Public Works and Economic Development Act of 1965 is amended to read as follows:

79 Stat. 561.
42 U. S. C. 3161.

"(3) no area shall be designated which does not have a population of at least one thousand five hundred persons, except that this limitation shall not apply to any area designated under section 401 (a) (3; and".

* * *

Approved, November 8, 1966.

PUBLIC LAWS OF THE NINETIETH CONGRESS, FIRST SESSION, 1967

PUBLIC LAW 90-9

AN ACT

April 10, 1967
[H. R. 2556]
81 Stat. 11

To terminate the Indian Clams Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 23 of the Act entitled "An Act to create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes", approved August 13, 1946 (60 Stat. 1049, 1055), as amended (75 Stat. 92; 25 U. S. C. 70v), is hereby amended to read as follows:

Indian Claims Commission.

"SEC. 23. The existence of the Commission shall terminate at the end of ten years from and after April 10, 1962, or at such earlier time as the Commission shall have made its final report to the Congress on all claims filed with it. Upon its dissolution the records of the Commission shall be delivered to the Archivist of the United States."

Termination date.

SEC. 2. Subsection (a) of section 3 of said Act, as amended (25 U. S. C. 70b), is further amended to read as follows:

60 Stat. 1050.

"SEC. 3. (a) The Commission shall consist of five Commissioners who shall be appointed by the President, by and with the advice and consent of the Senate. The President shall designate one Commissioner as Chairman. At all times at least three Commissioners shall be members of the bar of the Supreme Court of the United States in good standing. No more than three Commissioners shall be of the same political party. Each Commissioner shall take an oath to support the Constitution of the United States and to discharge faithfully the duties of his office.

Membership.

"The persons holding the offices of Chief Commissioner and Associate Commissioner of the Indian Claims Commission on April 9, 1967, shall continue in office serving as Commissioners of the Indian Claims Commission until June 30, 1968, unless prior to that date the President shall appoint them pursuant to this section."

SEC. 3. Subsection (d) of said section 3, as amended, is further amended by striking out "Two members" and inserting in lieu thereof "Three Commissioners" and by striking out "two members" and inserting in lieu thereof "three Commissioners."

SEC. 4. Sections 6 and 18 of said Act (25 U. S. C. 70e and 70q) are each amended by striking out "Chief Commissioner" and inserting in lieu thereof "Chairman".

SEC. 5. The Act of August 13, 1946, as amended (25 U. S. C. 70–70v), is amended by adding at the end thereof a new section as follows:

"TRIAL CALENDAR

"SEC. 27. (a) The Commission shall, not later than one year after the effective date of this section, prepare a trial calendar which will set a date, not later than December 31, 1970, for the trial of each claim pending before the Commission.

"(b) If a claimant fails to proceed with the trial of its claim on the date set for that purpose, the Commission shall enter an order dismissing the claim with prejudice unless for good cause the Commission grants a continuance, which continuance shall be for a period of not more than six months. No further continuances shall be granted upon motion of the same party except upon a showing that unforeseeable events beyond the control of the party have occurred which make it imperative that such further continuances be granted, and in no event shall such further continuances exceed an aggregate of six months. If, upon the expiration of the final period of continuance granted, the claimant fails to proceed with the trial of its claim, the Commission ⊥shall enter an order dismissing the claim with prejudice. The Commission may, however, stay the entry of any such order if it finds that a final compromise of the claim is being negotiated in good faith by the parties."

⊥12

80 Stat. 464.

SEC. 6. Section 5316 of title 5, United States Code, is amended by striking out paragraph (46) and by amending paragraph (47) to read as follows:

"(47) Commissioners, Indian Claims Commission (5).".

Approved, April 10, 1967.

PUBLIC LAW 90–11

April 22, 1967
[S. 1177]

81 Stat. 13

AN ACT

To provide for the disposition of a judgment against the United States recovered by the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana.

Confederated Salish and Kootenai Indians Judgment funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation that were appropriated by the Act of October 27, 1966 (80 Stat. 1065), to pay a judgment by the Indian Claims Commission in docket numbered 61, and the interest thereon, less payment of attorneys fees and expenses, may be invested, expended, or advanced for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed to the members of the tribes shall not be subject to Federal or State income taxes.

Approved, April 22, 1967.

PUBLIC LAW 90–21

May 29, 1967
[H. R. 9481]

81 Stat. 30

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes.

Second Supplemental Appropriation Act, 1967.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act

may be cited as the "Second Supplemental Appropriation Act, 1967") for the fiscal year ending June 30, 1967, and for other purposes, namely:

TITLE I

* * *

⊥CHAPTER VI—DEPARTMENT OF THE INTERIOR ⊥34

* * *

BUREAU OF INDIAN AFFAIRS

RESOURCES MANAGEMENT

For an additional amount for "Resources management", $1,100,000.

* * *

⊥TITLE II—INCREASED PAY COSTS ⊥43

For additional amounts for appropriations for the fiscal year 1967, for increased pay costs authorized by or pursuant to law, as follows:

* * *

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥47

* * *

Public Health Service:

* * *

"Indian health activities", $1,865,000;

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥48

Bureau of Indian Affairs:
"Education and welfare services", $1,789,000;
"General administrative expenses", $150,000;

* * *

⊥OTHER INDEPENDENT AGENCIES ⊥50

* * *

⊥Indian Claims Commission: "Salaries and expenses", $12,000; ⊥51

* * *

Approved, May 29, 1967.

PUBLIC LAW 90-24

AN ACT

June 5, 1967
[H. R. 7965]
81 Stat. 56

To transfer title to tribal land on the Fort Peck Indian Reservation, and for other purposes.

Fort Peck Indian Reservation, Mont.
Land conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to issue a patent conveying to School District No. 45 and 45A, Roosevelt County, Montana, or any other local authority in Montana empowered to take title for the construction of a public school on the land, all right, title, and interest of the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation and of the United States in and to a tract of land containing 20.62 acres, more or less, on the Fort Peck Indian Reservation, Roosevelt County, Montana, located in the southeast quarter of section 16, township 27, north range 47 east, principal meridian Montana, and more particularly described as follows:

From the southeast corner of section 16, township 27 north, range 47 east, principal meridian Montana, proceed north 00 degrees 12 minutes 45 seconds west, along the section line, 1,325.5 feet; thence south 89 degrees 48 minutes west, 600.00 feet to the

true point of beginning; thence north 00 degrees 12 minutes west, 625.60 feet; thence south 75 degrees 20 minutes 10 seconds west, along the Great Northern Railroad right-of-way line, 920.66 feet; thence south, 875.93 feet; thence east, 1,007.78 feet; thence north 27 degrees 42 minutes 59 seconds west, 197.45 feet; thence north 22 degrees 41 minutes 32 seconds west, 59.90 feet; thence north, 253.36 feet to the true point of beginning;

Mineral rights

reserving to the tribes all minerals, including oil and gas: *Provided*, That the patent shall not be delivered to the grantee until School District Numbered 45 and 45A, Roosevelt County, Montana, has conveyed to the United States in trust for the Fort Peck tribes, lands in accordance with the terms and conditions set forth in Resolution Numbered 545B-67-3, adopted March 17, 1967, by the Fort Peck Tribal Executive Board and until all other terms and conditions of that resolution are fully satisfied.

Approved, June 5, 1967.

PUBLIC LAW 90-28

AN ACT

June 21, 1967
[H. R. 9029]

81 Stat. 59

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

Department of the Interior and Related Agencies Appropriation Act, 1968

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1968, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

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⊥BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops; $126,478,000.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts, as authorized by law; $47,179,000.

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⊥CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; $40,770,000, to remain available until expended: *Provided*, That no part of the sum

herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, and Utah outside of the boundaries of existing Indian reservations except lands authorized by law to be acquired for the Navajo Indian Irrigation Project: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations except such lands as may be required for replacement of the Wild Horse Dam in the State of Nevada: *Provided further*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation; *Provided further*, That $450,000 shall be for assistance to the Tularosa School District Numbered 4, New Mexico, for construction of a junior-senior high school facility.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, $18,000,000, to remain available until expended. 72 Stat. 906.

REVOLVING FUND FOR LOANS

For payment to the revolving fund for loans, for loans as authorized in section 1 of the Act of November 4, 1963, as amended (25 U. S. C. 70n–1), $450,000. 77 Stat. 301; 80 Stat 814.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $4,627,000.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a curator for the Osage Museum, who shall be appointed with the approval of the Osage Tribal Council and without regard to the clas-⊥sification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided further*, That nothing contained in this paragraph or in any other provision of law shall be construed to authorize the expenditure of funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims, except for such amounts as may be necessary to pay attorney fees, 18 U. S. C. 4124 and note

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expenses of litigation, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds will be used: *Provided, however,* That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation, except as provided for by the Act of July 24, 1956 (70 Stat. 627).

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed fifty-five passenger motor vehicles, of which fifty shall be for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), the Act of August 3, 1956 (70 Stat. 986), and legislation terminating Federal supervision over certain Indian tribes; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458.
25 U. S. C. 309, 309a.

* * *

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OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $5,100,000, and in addition, not to exceed $152,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided,* That hereafter hearing officers appointed

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for Indian probate work need not be appointed pursuant to the Administrative Procedures Act (60 Stat. 237), as amended.

5 U. S. C. 551 *et seq.*

* * *

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

Emergency reconstruction.

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided,* That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted.

Forest or range fires.

SEC. 102. The Secretary may authorize the expenditure or transfer (within each bureau or office) of any appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under jurisdiction of the Department of the Interior: *Provided,* That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof.

Operation of warehouses, etc.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to

any other activity in the same manner as authorized by the Act of June 30, 1932 (31 U. S. C. 686): *Provided*, That reimbursements for costs of supplies, materials and equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received. 47 Stat. 417.

SEC. 104. Appropriations made to the Department of the Interior in this title or in the Public Works Appropriations Act, 1968, shall be available for services as authorized by 5 U. S. C. 3109, when authorized by the Secretary, in total amount not to exceed $300,000; hire, maintenance and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members. Employment of experts, etc. 80 Stat. 416.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U. S. C. 5901; 80 Stat. 299 and D.C. Code 4–204). Uniforms or allowances. 80 Stat. 508. 43 Stat. 175.

⊥TITLE II—RELATED AGENCIES ⊥171

* * *

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥173

PUBLIC HEALTH SERVICE

INDIAN HEALTH ACTIVITIES

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (68 Stat. 674), as amended; purchase of not to exceed seventeen passenger motor vehicles for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 301 (with respect to research conducted at facilities financed by this appropriation), 321, 322(d), 324, and 509 of the Public Health Service Act; $82,005,000, of which $350,000 shall be available for payments on account of the Menominee Indian people as authorized by section 1 of the Act of October 14, 1966 (80 Stat. 903). 42 U. S. C. 2001–2004a. 42 U. S. C. 241, 248, 249, 251, 227. 25 U. S. C. 891 note.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U. S. C. 2004a); $16,848,000, to remain available until expended. 73 Stat. 267.

* * *

⊥INDIAN CLAIMS COMMISSION ⊥174

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), as amended (81 Stat. 11), creating an Indian Claims Commission, $500,000, of which not to exceed $10,000 shall be available for expenses of travel. 60 Stat. 1049.

* * *

Approved, June 24, 1967.

PUBLIC LAW 90-35

June 29, 1967
[H. R. 10943]

81 Stat. 81

AN ACT

To amend and extend title V of the Higher Education Act of 1965.

Higher Education Act of 1965, amendment

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to coordinate, broaden, and strengthen programs for the training and improvement of the qualifications of teachers and other educational personnel for all levels of the American educational system so as to provide a better foundation for meeting the critical needs of the Nation for personnel in these areas.

* * *

184 ⊥AMENDMENTS TO PART B OF TITLE V OF THE HIGHER EDUCATION ACT OF 1965

SEC. 3. (a) (1) Part B of title V of the Higher Education Act of 1965 is amended by striking out the heading thereof and inserting the following:

79 Stat. 1255.
20 U. S. C. 1101-1107.

185 ⊥"PART B—ATTRACTING AND QUALIFYING TEACHERS

"Subpart 1—Teacher Corps"

* * *

186 (f) The first sentence of section 513 (c) (2) of such Act is amended by striking out "2 per centum" and inserting in lieu thereof "3 per centum", and by striking out "Puerto Rico, and the Virgin Islands" and inserting in lieu thereof "Puerto Rico, the Virgin Islands, and elementary and secondary schools operated for Indian children by the Department of the Interior.".

* * *

Approved, June 29, 1967.

PUBLIC LAW 90-38

June 30, 1967
[H. J. Res. 652]

81 Stat. 97

JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1968, and for other purposes.

Continuing appropriations, 1968.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1968, namely:

SEC. 101.

* * *

(b) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1967 and are listed in this subsection at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority:

* * *

20 U. S. C. 821 note
79 Stat. 27.
20 U. S. C. 821 note.

⊥Assistance to Indian children pursuant to titles I, II, and III of the Elementary and Secondary Education Act of 1965;

* * *

Approved, June 30, 1967.

PUBLIC LAW 90-60

AN ACT

August 1, 1967
[S. 1191]
81 Stat. 164

To provide for the distribution of judgment funds among members of the Confederated Bands of the Ute Indian Tribes.

Ute Tribe of Indians.
Judgment funds.
79 Stat. 81

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to divide the trust fund belonging to the Confederated Bands of Ute Indians appropriated by the Second Supplemental Appropriations Act, 1965, and deposited in the United States Treasury pursuant to the final judgment entered in Indian Claims Commission docket numbered 327, including the interest thereon, by crediting 60 per centum to the Ute Indian Tribe of the Uintah and Ouray Reservation and the Ute Distribution Corporation, 20 per centum to the Ute Mountain Tribe of the Ute Mountain Reservation, and 20 per centum for the Southern Ute Tribe of the Southern Ute Reservation. The portion of the trust fund, upon its division as herein directed, credited to the Ute Indian Tribe of the Uintah and Ouray Reservation to the Ute Distribution Corporation and to the Southern Ute Tribe of the Southern Ute Reservation, shall be available for use in accordance with existing authorization for use of funds of the tribes and the Ute Distribution Corporation, including the Act of August 21, 1951 (65 Stat. 193), as amended, the Act of June 28, 1954 (68 Stat. 300), and the Act of August 27, 1954 (68 Stat. 868), as amended. Any part of such funds that may be distributed to the members of the tribe shall not be subject to Federal or State income taxes.

25 U. S. C. 671-673
25 U. S. C. 676, 677 *et seq.*

Approved, August 1, 1967.

PUBLIC LAW 90-63

AN ACT

August 11, 1967
[H. R. 2532]
81 Stat. 166

To provide for the disposition of funds appropriated to pay a judgment in favor of the Ottawa Tribe of Oklahoma in docket numbered 303 of the Indian Claims Commission, and for other purposes.

Ottawa Tribe of Oklahoma.
Judgment funds.
79 Stat. 81

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the United States Treasury to the credit of the Ottawa Tribe of Oklahoma that were appropriated by the Act of April 30, 1965, to pay a judgment of the Indian Claims Commission in docket numbered 303, and the interest thereon, after deduction of litigation expenses and estimated costs of distribution, shall be distributed per capita to all persons whose names appear on the final roll of the Ottawa Tribe prepared pursuant to the Act of August 3, 1956 (70 Stat. 963).

25 U. S. C. 841-853.

SEC. 2. The Secretary of the Interior shall distribute a share payable to a living enrollee directly to such enrollee, or in such manner as is deemed by the Secretary to be in the enrollee's best interest. The Secretary shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid to the persons whom the Secretary determines will best protect their interests. Any per capita shares unclaimed for a period of two years from the date of the administrative directive to make the payment shall be turned over to the Ottawa Indian Tribe of Oklahoma, incorporated under the laws of the State of Oklahoma, to be used for purposes set forth in its articles of incorporation, filed July 14, 1959. In the event that the sum of money reserved by the Secretary to pay the costs of distributing the individual shares

exceeds the amount actually necessary to accomplish this purpose, such funds shall remain to the credit of the Ottawa Tribe of Oklahoma until all claims filed against the United States by the tribe have been settled and the last judgment distributed per capita, at which time any sums remaining shall be turned over to the Ottawa Indian Tribe of Oklahoma.

SEC. 3. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

SEC. 4. The Secretary is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, August 11, 1967.

PUBLIC LAW 90-64

August 11, 1967
[H. R. 3631]

81 Stat. 166

AN ACT

To provide for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain platted streets, alleys, and strips of land.

Agua Caliente Indian Reservation
Street dedications, title conveyances

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within one year from the date of enactment of this Act the Secretary of the Interior, with the consent of the majority of the eligible voting members of the Agua Caliente Band of Mission Indians, may dedicate to the public for street purposes, subject to prior existing rights and adverse claims, any of the streets, alleys, or strips of land in the west half of section

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14, township 4 south, range 4 east, San Bernardino meridian, city of Palm Springs, Riverside County, California, that are shown on the United States Department of the Interior official plats of survey accepted September 7, 1927, June 27, 1956, May 27, 1958, and March 11, 1960.

SEC. 2. All of the right, title, and interest of the United States and the Agua Caliente Band of Mission Indians from the centerline of any of said streets, alleys, and strips of land which has not been dedicated and formally accepted by the city of Palm Springs within one year from the date of enactment of this Act shall on that date, subject to prior existing rights and adverse claims, vest in the owner or owners of the closest adjoining or abutting tract or parcel of land in said section 14 and thereupon become a part of said adjoining or abutting tract or parcel of land. Title to land passing under this section shall acquire the same status as the title to the adjoining or abutting property of which it becomes a part.

SEC. 3. Patents or deeds to lands in the west half of said section 14 issued one year or more after the date of enactment of this Act shall convey title to the streets, alleys, or strips of land which become a part thereof pursuant to section 2 of this Act unless the streets, alleys, or strips of land are expressly excluded from the conveyance.

Approved, August 11, 1967.

PUBLIC LAW 90-71

August 21, 1967
[S. 1701]

81 Stat. 173

AN ACT

To declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes.

Indians, Battle Mountain Colony.
Lands in trust.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the following described public domain land located in the State of Nevada are hereby declared to be held by the United States in trust for the Indians of the Battle Mountain Colony:

Township 32 north, range 44 east, Mount Diablo base and meridian, section 13, west half southeast quarter northwest quarter northeast quarter, containing 5 acres, plus a right-of-way

for access purposes across the west 33 feet of the northeast quarter northwest quarter northeast quarter of said section 13.

Township 32 north, range 45 east, Mount Diablo base and meridian, section 18, north half northwest quarter southwest quarter northeast quarter, southwest quarter, containing 1¼ acres, plus a right-of-way for access purposes across the west 33 feet of the south half northwest quarter southwest quarter northeast quarter southwest quarter, southwest quarter southwest quarter northeast quarter southwest quarter, and southeast quarter southwest quarter of said section 18.

SEC. 2. The Indian Claims Commission is directed to determine, in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. 25 U. S. C. 70a

Approved, August 21, 1967.

PUBLIC LAW 90-76

AN ACT

August 29, 1967
[H. R. 2531]
81 Stat. 177

To provide for the disposition of the unclaimed and unpaid share of the Loyal Creek Judgment Fund, and to provide for disposition of estates of intestate members of the Creek Nation of Oklahoma or estates of members of the Creek Nation of Oklahoma dying without heirs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unclaimed and unpaid share of the funds, and the accrued interest thereon, appropriated by chapter XII of the Third Supplemental Appropriation Act, 1952 (66 Stat. 101, 121), in payment of the judgment entered by the Indian Claims Commission in favor of the Loyal Creek Band or Group of Indians et al., docket numbered 1, and which were authorized to be distributed by section 2(c) of Public Law 202, Eighty-fourth Congress (69 Stat. 432), shall be deposited in the Treasury of the United States to the credit of the Creek Nation of Indians of Oklahoma. Indians, Creek Nation of Oklahoma Judgment funds. 25 U. S. C. 781.

SEC. 2. Funds that are deposited to the Creek Nation pursuant to this Act, including interest and income therefrom, may be advanced or expended for any purpose that is authorized by the principal chief of the Creek Nation and the Secretary of the Interior.

SEC. 3. When, upon the final determination of a court having jurisdiction or by decision of the Secretary of the Interior after a period of five years from the death of the decedent, it is determined that a member of the Creek Nation or tribe of Oklahoma or a person of Creek Indian blood has died intestate without heirs, owning trust or restricted Indian lands or an interest therein in Oklahoma, such lands or interests owned, together with all rents and profits occurring therefrom, shall escheat to the Creek Nation of Indians of Oklahoma and be held thereafter in trust for said Indians by the United States.

Approved, August 29, 1967.

PUBLIC LAW 90-80

AN ACT

August 31, 1967
[H. R. 10566]
81 Stat. 193

To provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Sac and Fox Tribe of the Mississippi in Iowa, the Sac and Fox Tribe of Oklahoma, and the Sac and Fox Tribe of Missouri in Kansas and Nebraska that were appropriated by the Acts of April 30, 1965 (79 Stat. 81), and October 31, 1965 (79 Stat. 1133), to pay judgments by the Sac and Fox Indians Judgment funds.

Indian Claims Commission in dockets numbered 138 and 143, together with interest thereon, after payment of attorney fees and other litigation expenses, shall be divided as follows:

36.91 percent to the Sac and Fox Tribe of the Mississippi in Iowa;

51.70 percent to the Sac and Fox Tribe of Oklahoma; and

11.39 percent to the Sac and Fox Tribe of Missouri in Kansas and Nebraska.

The funds so divided, including the interest thereon, and the funds on deposit in the United States Treasury to the credit of the Sac and Fox Tribe of Missouri in Kansas and Nebraska that were appropriated by the Act of April 30, 1965 (79 Stat. 81), to pay a judgment by the Indian Claims Commission in docket numbered 195, including interest thereon, after payment of attorney fees and other litigation expenses, may be used, advanced, expended, invested, or reinvested for any purpose that is authorized by the tribal governing bodies of the respective tribes and approved by the Secrtary of the Interior.

Tax exemptions

SEC. 2. Any portion of such funds that may be distributed per capita to the members of the respective tribes shall not be subject to Federal or State income tax.

Approved, August 31, 1967.

PUBLIC LAW 90-83

AN ACT

September 11, 1967
[H. R. 5876]

81 Stat. 195

To amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the Code.

Government Organization and Employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 5, United States Code, is amended as follows:

* * *

1224

⊥SEC. 10. (a) The right to a deferred annuity on satisfaction of the conditions attached thereto is continued notwithstanding the repeal by this Act of the law conferring the right.

Repeals

(b) The laws specified in the following schedule are repealed except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun, before the effective date of this Act and except as provided by section 9 of this Act:

* * *

1224

⊥Date	Public Law	Section	Statutes at Large	
			Volume	Page
1966				
	*	*	*	
Nov. 2	89-702 208(c)		80	1096
	*	*	*	

Approved, September 11, 1967.

PUBLIC LAW 90-93

AN ACT

September 27, 1967
[S. 1972]

81 Stat. 229

To provide for the disposition of funds appropriated to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission Docket Numbered 75, and for other purposes.

Emigrant New York Indians, Wis. Judgment fund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Emigrant New York Indians that were appropriated by the Act of May 29, 1967 (81 Stat. 50), to pay a judgment by the Indian Claims Commission in Docket Numbered 75, and the interest thereon, after

payment of attorney fees and expenses, shall be distributed as determined in sections 4 and 5 of this Act.

Membership rolls, preparation.

SEC. 2. The Secretary of the Interior shall prepare rolls of all persons born on or prior to and living on the date of this Act (a) whose names appear on the membership roll of the Oneida Tribe of Indians of Wisconsin; or (b) whose names appear on the membership roll of the Stockbridge-Munsee Indian Community of Wisconsin; or (c) who are Brotherton Indians of Wisconsin of at least one-fourth degree Emigrant New York Indian blood and not members of either of the organized groups mentioned in (a) or (b).

Enrollment applications

SEC. 3. For the purposes of expediting the enrollment of persons referred to in section 2, subsections (a) and (b) of this Act, the governing bodies of the Oneida Tribe of Indians of Wisconsin and the Stockbridge-Munsee Indian Community of Wisconsin shall, with the assistance of the Secretary, prepare membership rolls of their respective bands. Applications for enrollment under subsection (c) of section 2 must be filed with the Superintendent of the Great Lakes Agency, Ashland, Wisconsin 54806, on forms prescribed for that purpose. The determination of the Secretary regarding the eligibility of the applicant shall be final.

Apportionment of funds

SEC. 4. The Secretary of the Interior shall apportion to each group mentioned in section 2 so much of the aforementioned judgment and accrued interest as the ratio of its enrollees bears to the total enrollees of all of said groups.

Disposition of funds.

SEC. 5. The funds apportioned to the Oneida Tribe of Indians of Wisconsin and the Stockbridge-Munsee Indian Community of Wisconsin shall be placed to their credit and may be used, advanced, expended, deposited, invested, or reinvested for any purposes that are authorized by the tribal governing bodies thereof and approved by ⊥the Secretary of the Interior. The funds apportioned to the group ⊥1230 mentioned in section 2(c) shall be available for distribution in equal shares to the enrollees or their heirs or legatees. Payment may be made directly to each enrollee except that a share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

Tax exemptions

SEC. 6. None of the funds that may be distributed per capita shall be subject to Federal or State income taxes.

SEC. 7. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, September 27, 1967.

PUBLIC LAW 90–94

AN ACT

September 27, 1967
[S. 1165]
81 Stat. 230

To provide for the disposition of judgment funds now on deposit to the credit of the Minnesota Chippewa Tribe of Indians on behalf of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians.

Chippewa Indians—Judgment funds, disposition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Minnesota Chippewa Tribe of Indians on behalf of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians that were appropriated by the Act of October 31, 1965, to pay a judgment by the Indian Claims Commission in docket 18–B, and the interest thereon, after payment of attorney fees and expenses, may be advanced or expended for any purpose that is authorized by the tribal governing bodies of the Minnesota Chippewa Tribe and the White Earth, Leech Lake, and Mille Lacs Reservations with whom the members of the Mississippi Bands and Pillager and Lake Winnibigoshish Bands of Chippewa Indians are affiliated, and approved by the

79 Stat. 1152

Secretary of the Interior. Only those persons who are descendants of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians who were born on or prior to and living on the date of this Act and who meet the requirements for membership in the Minnesota Chippewa Tribe shall be entitled to share in the use or distribution of the funds. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to the Federal or State income tax.

Tax exemptions.

SEC. 2. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, September 27, 1967.

PUBLIC LAW 90-107

AN ACT

October 12, 1967
[S. 2162]
81 Stat. 275

To amend the Act of January 17, 1936 (49 Stat. 1094), reserving certain public domain lands in Nevada and Oregon as a grazing reserve for Indians of Fort McDermitt, Nevada.

Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of January 17, 1936 (49 Stat. 1094), is amended by inserting a comma after "southwest quarter section 26; west half".

Approved, October 12, 1967.

PUBLIC LAW 90-114

AN ACT

October 24, 1967
[H. R. 678]
81 Stat. 335

To provide for the disposition of funds appropriated to pay a judgment in favor of the Upper and Lower Chehalis Tribes of Indians in Claims Commission docket numbered 237, and for other purposes.

Upper and Lower Chehalis Indians, Wash.
Judgment funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements for eligibility: (a) They were alive on the date of this Act, and (b) they are descendants of members of the Upper and Lower Chehalis Tribes as they existed in 1855. Applications for enrollment must be filed with the Superintendent, Western Washington Agency, Everett, Washington, on forms prescribed for that purpose. The determination of the Secretary regarding the utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

Equal share distribution.

SEC. 2. After the deduction of attorney fees, litigation expenses, the costs of roll preparation, and such sums as may be required to distribute individual shares, the funds, including interest, remaining to the credit of the Upper and Lower Chehalis Tribes, which were appropriated by the Act of June 9, 1964 (78 Stat. 213), shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 1 of this Act.

SEC. 3. Sums payable to enrollees or to their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be held in trust by the Secretary of the Interior with use limited to emergency medical care and direct educational expenses, until such minor becomes of age or disability ceases. Proportional shares of heirs or legatees amounting to $5 or less shall not be distributed, and shall escheat to the United States. In the event that the sum of money reserved by the Secretary to pay the costs of distributing the individual shares exceeds the amount actually necessary to accomplish this purpose, the money remaining shall also be distributed per capita unless individual shares would have a value of less than $5. Individual shares or proportional shares of heirs or legatees amounting to $5 or less shall not be distributed, but shall escheat to the United States.

SEC. 4. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes. Tax exemptions.

SEC. 5. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act, including appropriate deadline for filing enrollment applications.

Approved, October 24, 1967.

PUBLIC LAW 90-117

AN ACT

October 31, 1967
[S. 1933]
81 Stat. 337

To provide for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to distribute and expend the funds on deposit in the Treasury of the United States to the credit of the Cheyenne-Arapaho Tribes of Oklahoma that were appropriated by the Act of October 31, 1965 (79 Stat. 1133), in satisfaction of the settlement and compromise of claims of said tribes against the United States in the Indian Claims Commission in dockets numbered 329A and 329B, together with the interest accrued thereon, as herein provided. Cheyenne-Arapaho Indian Tribes, Okla. Judgment funds, disposition.

SEC. 2. Five hundred thousand dollars of said funds shall be held in trust for the purpose of providing education and scholarships for members of said tribes pursuant to a trust agreement to be made and entered into by and between said tribes, as grantor, and a national banking association located in the State of Oklahoma, as trustee, which trust agreement shall be authorized and approved by the tribal governing body and approved by the Secretary of the Interior. Funds held in trust.

SEC. 3. The Secretary of the Interior shall distribute remaining funds per capita to all persons alive on the date of this Act whose names appear on the membership roll of the Cheyenne-Arapaho Tribes of Oklahoma or who, on the date of this Act, were eligible for membership, hereinafter referred to as "enrollees", as follows: Per capita distribution. "Enrollees."

(a) a share payable to an enrollee not less than twenty-one years of age shall be paid directly in one payment to such enrollee, except as provided in subsections (b) and (c) of this section;

(b) a share payable to an enrollee dying after the date of this Act shall be distributed to his heirs or legatees upon the filing of proof of death and inheritance satisfactory to the Secretary of the Interior, or his authorized representative, whose findings and determinations upon such proof shall be final and conclusive: *Provided,* That if a share of such deceased enrollee, or a ⊥portion thereof, is payable to an heir or legatee under twenty-one years of age or under legal disability, the same shall be paid and held in trust pursuant to subsection (c) of this section; ⊥1338

(c) a share or proportional share payable to an enrollee or person under twenty-one years of age or to an enrollee or person under legal disability shall be paid and held in trust for such enrollee or person pursuant to a trust agreement to be made and entered into by and between the Cheyenne-Arapaho Tribes of Oklahoma, as grantor, and a national bank association located in the State of Oklahoma, as trustee, which trust agreement shall be authorized and approved by the tribal governing body and approved by the Secretary of the Interior.

SEC. 4. (a) All claims for per capita shares, whether by a living enrollee or by the heirs or legatees of a deceased enrollee, shall be filed with the area director of the Bureau of Indian Affairs, Anadarko, Oklahoma, not later than three years from the date of approval of this Per capita share claims, termination date.

Act. Thereafter, all claims and the right to file some shall be forever barred and the unclaimed shares shall revert to the tribes.

Reverted funds, disposition

(b) Tribal funds that revert to the tribes pursuant to subsection (a) of this section, including interest and income therefrom, may be advanced or expended for any purpose that is authorized by the tribal governing body.

Tax exemptions.

SEC. 5. No part of any funds distributed or held in trust under the provisions of this Act shall be subject to Federal or State income taxes.

Payment of costs

SEC. 6. (a) All costs incident to making the payments authorized by this Act, including the costs of payment roll preparation and such sums as may be required to distribute said funds, shall be paid by appropriate withdrawals from the judgment fund and interest on the judgment fund, using the interest fund first.

(b) In the event that the sum of money reserved by the Secretary of the Interior to pay the costs of distributing said funds exceeds the amount actually necessary to accomplish this purpose, the money remaining shall revert to the tribes and may be advanced or expended for any purpose that is authorized and approved by the tribal governing body.

SEC. 7. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, October 31, 1967.

PUBLIC LAW 90-143

AN ACT

November 16, 1967
[S. 1791]
81 Stat. 465

To cancel certain construction costs and irrigation assessments chargeable against lands of the Fort Peck Indian Reservation, Montana.

Fort Peck Indian Reservation, Mont.
Construction costs, etc., cancellation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with provisions of the Act of June 22, 1936 (49 Stat. 1803; 25 U. S. C. 389–389e), the order of the Secretary of the Interior canceling delinquent irrigation operation and maintenance charges in the amount of $461.40 and any accrued interest thereon for certain lands adjacent to but outside the boundary of the Fort Peck Indian irrigation project, Montana, and reimbursable irrigation construction costs in the amount of $206,902.21 against lands within the Fort Peck Indian irrigation project, Montana, as listed and described in schedules referred to in such order, is hereby approved.

SEC. 2. Unassessed construction costs of $118,266.64 allocable against both the Indian- and non-Indian-owned lands in the Frazier-Wolf Point unit of the Fort Peck Indian irrigation project, Montana, are hereby canceled.

Approved, November 16, 1967.

PUBLIC LAW 90-182

AN ACT

December 8, 1967
[H. R. 2154]
81 Stat. 559

To provide long-term leasing for the Gila River Indian Reservation.

Indians.
Long term leases
25 U. S. C. 415

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended, is hereby amended as follows: After the words "Pyramid Lake Reservation," insert the words "the Gila River Reservation,".

Approved, December 8, 1967.

PUBLIC LAW 90-184

AN ACT

December 10, 1967
[H. R. 4920]
81 Stat. 560

To amend the Act of August 9, 1955, to authorize longer term leases of Indian lands on the San Carlos Apache Reservation in Arizona.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U. S. C. 415), is hereby further amended by inserting the words "the San Carlos Apache Reservation," after the words "the Fort Mojave Reservation,".

Indians.
Long-term leases.

Approved, December 10, 1967.

PUBLIC LAW 90-199

December 14, 1967
[H. R. 2828]
81 Stat. 583

AN ACT

To provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission dockets numbered 138 and 79, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the United States Treasury to the credit of the Iowa Tribes of Kansas and Nebraska and of Oklahoma that were appropriated by the Act of April 30, 1965 (79 Stat. 81), to pay a judgment by the Indian Claims Commission in dockets numbered 138 and 79, and the interest thereon, after payment of attorney fees and other litigation expenses, shall be divided on the basis of 171/279ths (61.29 per centum) to the Iowas of Kansas and Nebraska and 108/279ths (38.71 per centum) to the Iowas of Oklahoma, and the funds so divided, including interest accruing thereon, may be invested or expended for any purpose that is authorized by the respective tribal governing bodies and approved by the Secretary of the Interior. Any per capita distribution of any part of the funds placed to the credit of the Iowa Tribes of Kansas and Nebraska and of Oklahoma shall be payable only to those persons who meet the membership requirements specified in the respective tribal constitutions, and such per capita payments shall not be subject to Federal or State income tax.

Indians.
Iowa Tribes of Kans.-Nebr.-Okla.
Disposition of funds.

Approved, December 14, 1967.

PUBLIC LAW 90-222

December 23, 1967
[S. 2388]
81 Stat. 672

AN ACT

To provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Economic Opportunity Amendments of 1967".

Economic Opportunity Amendments of 1967.

* * *

TITLE I—AMENDMENTS TO THE ECONOMIC OPPORTUNITY ACT

* * *

⊥WORK AND TRAINING PROGRAMS

⊥682

SEC. 102. Part B of title I of the Economic Opportunity Act of 1964 is amended to read as follows:

78 Stat. 512
42 U. S. C. 2731 *et seq.*

⊥"PART B—WORK AND TRAINING FOR YOUTH AND ADULTS

⊥683

"STATEMENT OF PURPOSE

"SEC. 120. The purpose of this part is to provide useful work and training opportunities, together with related services and assistance, that will assist low-income youths to continue or resume their education, and to help unemployed or low-income persons, both young and adult, to obtain and hold regular competitive employment, with maximum opportunities for local initiative in developing programs

which respond to local needs and problems, and with emphasis upon a comprehensive approach which includes programs using both public and private resources to overcome the complex problems of the most severely disadvantaged in urban and rural areas having high concentrations or proportions of unemployment, underemployment, and low income.

"COMMUNITY PROGRAM AREAS AND COMPREHENSIVE WORK AND TRAINING PROGRAMS

"SEC. 121. (a) The Director shall designate or recognize community program areas for the purpose of planning and conducting comprehensive community work and training programs.

"(b) For the purpose of this part, a community may be a city, county, multicity, or multicounty unit, an Indian reservation, or a neighborhood or other area (irrespective of boundaries or political subdivisions) which provides a suitable organizational base and possesses the commonality of interest needed for a comprehensive work and training program. The Director shall consult with the heads of other Federal agencies responsible for programs relating to community action, manpower services, physical and economic development, housing, education, health, and other community services to encourage the establishment of coterminous or complementary boundaries for planning purposes among those programs and comprehensive work and training programs assisted under this part.

* * *

1690 ⊥"TITLE II—URBAN AND RURAL COMMUNITY ACTION PROGRAMS

* * *

1691 ⊥"PART A—COMMUNITY ACTION AGENCIES AND PROGRAMS

"DESIGNATION OF COMMUNITY ACTION AGENCIES; COMMUNITY ACTION PROGRAMS

"SEC. 210. (a) A community action agency shall be a State or political subdivision of a State (having elected or duly appointed governing officials), or a combination of such political subdivisions, or a public or private nonprofit agency or organization which has been designated by a State or such a political subdivision or combination of such subdivisions, which—

"(1) has the power and authority and will perform the functions set forth in section 212, including the power to enter into contracts with public and private nonprofit agencies and organizations to assist in fulfilling the purposes of this title, and

"(2) is determined to be capable of planning, conducting, administering and evaluating a community action program and is currently designated as a community action agency by the Director.

1692 Community action program ⊥A community action program is a community based and operated program—

"(1) which includes or is designed to include a sufficient number of projects or components to provide, in sum, a range of services and activities having a measurable and potentially major impact on causes of poverty in the community or those areas of the community where poverty is a particularly acute problem;

"(2) which has been developed, and which organizes and combines its component projects and activities, in a manner appropriate to carry out all the purposes of this title; and

"(3) which conforms to such other supplementary criteria as the

Director may prescribe consistent with the purposes and provisions of this title.

"(b) Components of a community action program may be administered by the community action agency, where consistent with sound and efficient management and applicable law, or by other agencies. They may be projects eligible for assistance under this title, or projects assisted from other public or private sources; and they may be either specially designed to meet local needs, or designed pursuant to the eligibility standards of a State or Federal program providing assistance to a particular kind of activity which will help in meeting those needs.

"(c) For the purpose of this title, a community may be a city, county, multicity, or multicounty unit, an Indian reservation, or a neighborhood or other area (irrespective of boundaries or political subdivisions) which provides a suitable organizational base and possesses the commonality of interest needed for a community action program. The Director shall consult with the heads of other Federal agencies responsible for programs relating to work and training programs, physical and economic development, housing, education, health, and other community services to encourage the establishment of coterminous or complementary boundaries for planning purposes among those programs and community action programs assisted under this title.

* * *

"(f) For the purposes of this title, a tribal government of an Indian reservation shall be deemed to be a political subdivision of a State.

* * *

VOLUNTEER PROGRAMS

SEC. 110. Title VIII of the Economic Opportunity Act of 1964 is amended to read as follows:

80 Stat. 1472
42 U. S. C. 2991 *et seq.*

"TITLE VIII—DOMESTIC VOLUNTEER SERVICE PROGRAMS

"VOLUNTEERS IN SERVICE TO AMERICA

"STATEMENT OF PURPOSE

"SEC. 801. This title provides for a program of full-time volunteer service, for programs of part-time or short-term community volunteer service, and for special volunteer programs, together with other powers and responsibilities designed to assist in the development and coordination of volunteer programs. Its purpose is to strengthen and supplement efforts to eliminate poverty by encouraging and enabling persons from all walks of life and all age groups, including elderly and retired Americans, to perform meaningful and constructive service as volunteers in part-time or short-term programs in their home or nearby communities, and as full-time volunteers serving in rural areas and urban communities, on Indian reservations, among migrant workers, in Job Corps centers, and in other agencies, institutions, and situations where the application of human talent and dedication may help the poor to overcome the handicaps of poverty and to secure and exploit opportunities for self-advancement.

"PART A—FULL-TIME VOLUNTEER PROGRAMS

"AUTHORITY TO ESTABLISHMENT FULL-TIME PROGRAMS

"SEC. 810. (a) The Director may recruit, select, and train persons to serve in full-time volunteer programs, and upon request of Federal, State, or local agencies, or private nonprofit organizations, may assign such volunteers to work—

"(1) in meeting the health, education, welfare, or related needs of Indians living on reservations, of migratory workers and their families, or of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands;

"(2) in the care and rehabilitation of the mentally ill or mentally retarded under treatment at nonprofit mental health or mental retardation facilities; and

"(3) in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act.

"(b) The assignment of volunteers under this section shall be on such terms and conditions (including restrictions on political activities [1723] that appropriately recognize the special status of volunteers living among the persons or groups served by programs to which they have been assigned) as the Director may determine, including work assignments in their own or nearby communities; but volunteers under this part shall not be assigned to duties or work in any State without the consent of the Governor. The assignment of such a volunteer in any State shall be terminated by the Director when so requested by the Governor of such State not later than thirty days or at a time thereafter agreed upon by the Governor and Director after such request has been made by the Governor to the Director.

* * *

Approved, December 23, 1967.

PUBLIC LAW 90-229

AN ACT

December 29, 1967
[H. R. 8580]
81 Stat. 746

To declare that certain lands are held in trust for the Squaxin Island Indian Tribe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) all right, title, and interest of the United States in and to those lands lying within the Squaxin Island Indian Reservation, Washington, more particularly described in subsection (b) of this section, are hereby declared to be held by the United States in trust to the Squaxin Island Indian Tribe.

Squaxin Island Indian Reservation, Wash.
Lands held in trust

(b) Beginning at a point between lots 1 and 2, 700 feet north of the northeast corner of the northwest quarter of the southwest quarter of section 26, township 20 north, range 2 west, Willamette meridian, the same being a fir post 3 feet long, 4 inches square and set firmly in the ground;

thence east 365 feet; thence north 240 feet to the meander line;

thence north 63 degrees west along meander line for 150 feet to meander corner;

thence south 44 degrees west along meander line 333 feet;

thence south 68.5 feet to the point of beginning containing 1.84 acres, more or less, the above all being in lot 2, section 26, township 20 north, range 2 west, Willamette meridian, Mason County, Washington.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

25 U. S. C. 70a.

Approved, December 29, 1967.

PUBLIC LAW 90-247

AN ACT

January 2, 1968
[H. R. 7819]
81 Stat. 783

To strengthen, improve, and extend programs of assistance for elementary and secondary education, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Amendments of 1967". Elementary and Secondary Education Amendments of 1967.

* * *

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, AND RELATED AMENDMENTS

PART A—AMENDMENTS TO TITLE I OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

PROVISIONS RELATING TO SCHOOLS FOR INDIAN CHILDREN

SEC. 101. The third sentence of section 203(a)(1)(A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "June 30, 1967," and inserting in lieu thereof "June 30, 1968, and the fiscal year ending June 30, 1969,". 80 Stat. 1191. 20 U. S. C. 241c

* * *

⊥PART B—AMENDMENTS TO TITLE II OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 1788

EXTENDING FOR TWO YEARS PROVISIONS RELATING TO SCHOOLS FOR INDIAN CHILDREN AND DEFENSE DEPARTMENT OVERSEAS DEPENDENTS SCHOOLS

SEC. 121. Section 202(a)(1) of the Elementary and Secondary Education Act of 1965 is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1968, and the fiscal year ending June 30, 1969". 80 Stat. 1199. 20 U. S. C. 822.

PART C—REVISION OF TITLE III OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 131. Title III of the Elementary and Secondary Education Act of 1965 is amended to read as follows: 79 Stat. 39 20 U. S. C. 841–848.

"TITLE III—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES

* * *

⊥"ALLOTMENT AMONG STATES 1789

"SEC. 302. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition for each fiscal year ending prior to July 1, 1969, he shall allot from such amount to (A) the Secretary of the Interior the amount necessary to provide programs and projects for the purpose of this title for individuals on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for making grants under this title for any fiscal year pursuant to section 301(b), the Commissioner shall allot $200,000 to each State and shall allot the remainder of such sums among the States as follows:

"(A) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

"(B) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(b) The number of children aged five to seventeen, inclusive, and the total population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

"(c) The amount allotted to any State under subsection (a) for any fiscal year, which the Commissioner determines will not be required for the period for which that amount is available, shall be available for grants pursuant to section 306 in such State, and if not so needed may be reallotted or used for grants pursuant to section 306 in other States. Funds available for reallotment may be reallotted from time to time, on such dates during that period as the Commissioner may fix, among other States in proportion to the amounts originally allotted among those States under subsection (a) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates that State needs and will be able to use for that period; and the total of these reductions may be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection from funds appropriated pursuant to
1790 sec-⊥tion 301 for any fiscal year shall be deemed to be a part of the amount allotted to it under subsection (a) for that year.

"(d) The amounts made available under the first sentence of subsection (c) for any fiscal year shall remain available for grants during the next succeeding fiscal year.

1803 ⊥"PART D—RECRUITMENT OF PERSONNEL AND INFORMATION ON EDUCATION OF THE HANDICAPPED

* * *

1804 ⊥INCLUDING SCHOOLS FOR INDIAN CHILDREN OPERATED BY THE DEPARTMENT OF THE INTERIOR AND DEFENSE DEPARTMENT OVERSEAS DEPENDENTS SCHOOLS IN TITLE VI

SEC. 153. (a) So much of paragraph (1) of section 603(a) of the
80 Stat. 1205 Elementary and Secondary Education Act of 1965 as follows the first
20 U.S.C. 873 sentence is amended to read as follows: "The Commissioner shall allot the amount appropriated pursuant to this paragraph among—

"(A) Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs, and

"(B) for the fiscal year ending June 30, 1968, and the succeeding fiscal year, (i) the Secretary of the Interior according to the need for such assistance for the education of handicapped children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (ii) the Secretary of Defense according to the need for such assistance for the education of handicapped children in the overseas dependents schools of the Department of Defense. The

terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this part."

(b) The first sentence of paragraph (2) of section 603(a) of the Elementary and Secondary Education Act of 1965 is amended by changing the period at the end thereof to a comma and adding the following: "except that no State shall be allotted less than $100,000 or three-tenths of 1 per centum of such amount available for allotment to the States, whichever is greater."

* * *

⊥TITLE II—FEDERALLY AFFECTED AREAS ⊥806

PART A—ASSISTANCE FOR SCHOOL CONSTRUCTION AND CURRENT EXPENDITURES IN IMPACTED AREAS

* * *

⊥MODIFYING PROVISIONS RELATING TO SCHOOL CONSTRUCTION ASSISTANCE IN OTHER FEDERALLY AFFECTED AREAS ⊥807

SEC. 203. (a) Subsection (a) of section 14 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress) is amended in the following respects: 72 Stat. 555. 20 U. S. C. 644.

(1) Paragraph (1) is amended by striking out "Federal property" and inserting in lieu thereof "Indian lands", and by inserting ", or that such Indian lands constitute a substantial part of the school district of such local educational agency," immediately after "such agency provides free public education".

(2) Paragraph (2) is amended by striking out "Federal property" and inserting in lieu thereof "Indian lands".

(3) Paragraph (4) is amended by striking out "in its school district" and inserting in lieu thereof "of a substantial percentage of the children in the membership of its schools".

(4) Such subsection (a) is further amended by—

(A) striking out "is attributable to children who reside on Federal property, and which" in the portion of the first sentence of subsection (a) which follows paragraph (4);

(B) striking out "in the case of any application for additional assistance on account of children who reside on Indian lands" in the second sentence of such subsection (a);

(C) striking out "subsection (c)" and inserting in lieu thereof "subsection (d)" in the third sentence of such subsection (a); and

(D) striking out "third" and inserting in lieu thereof "second" in the last sentence of such section (a).

(b) Section 14 of such Act, as amended by this section, is further amended by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively, and by inserting immediately after subsection (a) the following new subsection (b):

"(b) If the Commissioner determines with respect to any local educational agency that—

"(1) such agency is providing or, upon completion of the school facilities for which provision is made herein, will provide free public education for children who reside on Indian lands, and whose membership in the schools of such agency has not formed and will not form the basis for payments under other provisions of this Act, and that the total number of such children represents a substantial percentage of the total number of children for whom such agency provides free public education, or that such Indian lands constitute a substantial part of the school district of such local educational agency, or that the total number of such

children who reside on Indian lands located outside the school district of such agency equals or exceeds one hundred; and

"(2) the immunity of such Indian lands to taxation by such agency has created a substantial and continuing impairment of its ability to finance needed school facilities;

he may, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest, provide the additional assistance necessary to enable such agency to provide the minimum school facilities required for free public education of children in the membership of the schools of such agency who reside on Indian lands; but such additional assistance may not exceed the portion of the cost of constructing such facilities which the Commissioner estimates has not been, and is not to be, recovered by the local educational agency from other sources, including payments by the United States under any other provisions of this Act or any other law. Notwithstanding the provisions of this subsection, the Commissioner may waive the percentage requirement in paragraph (1) whenever, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purposes of this section. Assistance may be furnished under this subsection without regard to paragraph (2) (but subject to the other provisions of this subsection and subsection (d) to any local educational agency which provides free public education for children who reside on Indian lands located outside its school district. For purposes of this subsection 'Indian lands' means Indian reservations or other real property referred to in the second sentence of section 15(1)."

72 Stat. 555. 20 U. S. C. 644

(c) Subsection (d) of section 14 of such Act, as redesignated by subsection (b) of this section, is amended by inserting "or (b)" immediately after "subsection (a)" each time it occurs in such subsection.

(d) Subsection (e) of section 14 of such Act, as redesignated by subsection (b) of this section, is amended by inserting "or (b)" immediately after "subsection (a)".

* * *

Approved, January 2, 1968.

PUBLIC LAW 90-248

January 2, 1968
[H. R. 12080]

81 Stat. 821

AN ACT

To amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes.

Social Security Amendments of 1967.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, with the following table of contents, may be cited as the "Social Security Amendments of 1967".

* * *

1877 TITLE II—PUBLIC WELFARE AMENDMENTS

PART 1—PUBLIC ASSISTANCE AMENDMENTS

* * *

1884 WORK INCENTIVE PROGRAM FOR RECIPIENTS OF AID UNDER PART A OF TITLE IV

SEC. 204. (a) Title IV of the Social Security Act is amended by inserting after part B (hereinafter added to such title by section 240 of this Act) the following material:

Post, p. 911.

"PART C—WORK INCENTIVE PROGRAM FOR RECIPIENTS OF AID UNDER STATE PLAN APPROVED UNDER PART A

"PURPOSE

"SEC. 430. The purpose of this part is to require the establishment of a program utilizing all available manpower services, including those authorized under other provisions of law, under which individuals receiving aid to families with dependent children will be furnished incentives, opportunities, and necessary services in order for (1) the employment of such individuals in the regular economy, (2) the training of such individuals for work in the regular economy, and (3) the participation of such individuals in special work projects, thus restoring the families of such individuals to independence and useful roles in their communities. It is expected that the individuals participating in the program established under this part will acquire a sense of dignity, self-worth, and confidence which will flow from being recognized as a wage-earning member of society and that the example of a working adult in these families will have beneficial effects on the children of such families.

"APPROPRIATION

"SEC. 431. There is hereby authorized to be appropriated to the Secretary of Health, Education, and Welfare for each fiscal year a sum sufficient to carry out the purposes of this part. The Secretary of Health, Education, and Welfare shall transfer to the Secretary of Labor from time to time sufficient amounts, out of the moneys appropriated pursuant to this section, to enable him to carry out such purposes.

"ESTABLISHMENT OF PROGRAMS

"SEC. 432. (a) The Secretary of Labor (hereinafter in this part referred to as the Secretary) shall, in accordance with the provisions of this part, establish work incentive programs (as provided for in subsection (b)) in each State and in each political subdivision of a State in which he determines there is a significant number of individuals who ⊥have attained age 16 and are receiving aid to families with 1885
dependent children. In other political subdivisions, he shall use his best efforts to provide such programs either within such subdivisions or through the provision of transportation for such persons to political subdivisions of the State in which such programs are established.

"(b) Such programs shall include, but shall not be limited to, (1) a program placing as many individuals as is possible in employment, and utilizing on-the-job training positions for others, (2) a program of institutional and work experience training for those individuals for whom such training is likely to lead to regular employment, and (3) a program of special work projects for individuals for whom a job in the regular economy cannot be found.

"(c) In carrying out the purposes of this part the Secretary may make grants to, or enter into agreements with, public or private agencies or organizations (including Indian tribes with respect to Indians on a reservation), except that no such grant or agreement shall be made to or with a private employer for profit or with a private nonprofit employer not organized for a public purpose for purposes of the work experience program established by clause (2) of subsection (b).

"(d) Using funds appropriated under this part, the Secretary, in order to carry out the purposes of this part, shall utilize his authority under the Manpower Development and Training Act of 1962, the Act of June 6, 1933, as amended (48 Stat. 113), and other Acts, to the extent such authority is not inconsistent with this Act.

76 Stat. 23.
42 U. S. C. 2571 note.
29 U. S. C. 49–49k.

"(e) The Secretary shall take appropriate steps to assure that the present level of manpower services available under the authority of other statutes to recipients of aid to families with dependent children is not reduced as a result of programs under this part.

"OPERATION OF PROGRAM

"SEC. 433. (a) The Secretary shall provide a program of testing and counseling for all persons referred to him by a State, pursuant to section 402, and shall select those persons whom he finds suitable for the programs established by clauses (1) and (2) of section 432(b). Those not so selected shall be deemed suitable for the program established by clause (3) of such section 432(b) unless the Secretary finds that there is good cause for an individual not to participate in such program.

"(b) The Secretary shall develop an employability plan for each 42 U. S. C. 602 suitable person referred to him under section 402 which shall describe the education, training, work experience, and orientation which it is determined that each such person needs to complete in order to enable him to become self-supporting.

"(c) The Secretary shall make maximum use of services available from other Federal and State agencies and, to the extent not otherwise available on a nonreimbursable basis, he may reimburse such agencies for services rendered to persons under this part.

"(d) To the extent practicable and where necessary, work incentive programs established by this part shall include, in addition to the regular counseling, testing, and referral available through the Federal-State Employment Service System, program orientation, basic education, training in communications and employability skills, work experience, institutional training, on-the-job training, job development, and special job placement and followup services, required to assist participants in securing and retaining employment and securing possibilities for advancement.

"(e) (1) In order to develop special work projects under the program established by section 432(b)(3), the Secretary shall enter into agreements with (A) public agencies, (B) private nonprofit organizations 1886 established to serve a public purpose, and (c) Indian tribes ⊥with respect to Indians on a reservation, under which individuals deemed suitable for participation in such a program will be provided work which serves a useful public purpose and which would not otherwise be performed by regular employees.

"(2) Such agreements shall provide—

"(A) for the payment by the Secretary to each employer a portion of the wages to be paid by the employer to the individuals for the work performed;

"(B) the hourly wage rate and the number of hours per week individuals will be scheduled to work on special work projects of such employer;

"(C) that the Secretary will have such access to the premises of the employer as he finds necessary to determine whether such employer is carrying out his obligations under the agreement and this part; and

"(D) that the Secretary may terminate any agreement under this subsection at any time.

"(3) The Secretary shall establish one or more accounts in each State with respect to the special work projects established and maintained pursuant to this subsection and place into such accounts the amounts paid to him by the State agency pursuant to section Post, p. 890 402(a)(19)(E). The amounts in such accounts shall be available for the payments specified in subparagraph (A) of paragraph (2). At the end of each fiscal year and for such period of time as he may establish, the

Secretary shall determine how much of the amounts paid to him by the State agency pursuant to section 402(a)(19)(E) were not expended as provided by the preceding sentence of this paragraph and shall return such unexpended amounts to the State, which amounts shall be regarded as overpayments for purposes of section 403(b)(2). 42 U. S. C. 603.

"(4) No wage rates provided under any agreement entered into under this subsection shall be lower than the applicable minimum wage for the particular work concerned.

"(f) Before entering into a project under any of the programs established by this part, the Secretary shall have reasonable assurances that—

"(1) appropriate standards for the health, safety, and other conditions applicable to the performance of work and training on such project are established and will be maintained,

"(2) such project will not result in the displacement of employed workers,

"(3) with respect to such project the conditions of work, training, education, and employment are reasonable in the light of such factors as the type of work, geographical region, and proficiency of the participant,

"(4) appropriate workmen's compensation protection is provided to all participants.

"(g) Where an individual, referred to the Secretary of Labor pursuant to section 402(a)(19)(A) (i) and (ii) refuses without good cause to accept employment or participate in a project under a program established by this part, the Secretary of Labor shall (after providing opportunity for fair hearing) notify the State agency which referred such individual and submit such other information as he may have with respect to such refusal.

"(h) With respect to individuals who are participants in special work projects under the program established by section 432(b)(3), the Secretary shall periodically (but at least once every six months) review the employment record of each such individual while on such special work project and on the basis of such record and such other ⊥information 1887
as he may acquire determine whether it would be feasible to place such individual in regular employment or on any of the projects under the programs established by section 432(b) (1) and (2).

Approved, January 2, 1968.

PUBLIC LAWS OF THE NINETIETH CONGRESS, SECOND SESSION, 1968

PUBLIC LAW 90-252

AN ACT

February 3, 1968
[S. 306]
82 Stat. 4

To increase the amounts authorized for Indian adult vocational education.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act relative to employment for certain adult Indians on or near Indian reservations", approved August 3, 1956 (25 U. S. C. 309a), is amended by striking out "$15,000,000" and inserting in lieu thereof "$25,000,000". 79 Stat. 74

Indians.
Vocational education.

Approved, February 3, 1968.

PUBLIC LAW 90-256

AN ACT

February 14, 1968
[S. 191]
82 Stat. 15

To determine the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Navajo-Ute Boundary Dispute Act".

Navajo-Ute Boundary Dispute Act.

SEC. 2. The consent of the United States is hereby given to either or both the Navajo Tribe of Indians and the Ute Mountain Tribe of the Ute Mountain Reservation to bring suit against each other, and against any other tribe of Indians, persons, or entities, to quiet the beneficial title in and to such lands in the State of New Mexico as are common to the description contained in article II of the treaty concluded June 1, 1868, between the United States and the Navajo Nation or Tribe of Indians and proclaimed August 12, 1868 (15 Stat. 667), setting apart certain lands for the use and occupation of the Navajo Tribe of Indians, and to the description contained in section 3 of the Act approved February 20, 1895 (28 Stat. 677), setting apart certain lands for the sale and exclusive use and occupancy of the Southern Ute Indians described therein. The United States asserts no beneficial claim to or interest in such land, acknowledges that it holds the legal title to the land in trust, recognizes that the beneficial title cannot be litigated without the consent of the United States, and consents to litigation between the two Indian tribes only in order that their conflicting claims of beneficial title may be conclusively determined. The United States shall not be joined as a party defendant in the litigation, and nothing in this Act shall be construed to authorize a claim against the United States. The Secretary of the Interior shall administer the land in accordance with the judicial determination of beneficial title.

SEC. 3. Any action commenced pursuant to section 2 of this Act shall be heard and determined by a district court of three judges in the United States District Court for the District of New Mexico, in accordance with the provisions of title 28, United States Code, section 2284, and, subject to the provisions of section 4 of this Act, any party may appeal as of right directly to the Supreme Court of the United States from the final determination by such three-judge district court.

62 Stat. 968

Intent of Congress

SEC. 4. It is hereby declared to be the intent and the objective of the Congress that the relative rights and interests of all parties making claims against each other in and to the surface and the subsurface of the lands identified in section 2 of this Act be judicially determined in accordance with such principles as may be just and fair in law and equity, including a consistent award or awards or release or releases to either or both the Navajo Tribe and the Ute Mountain Tribe of the

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⊥Ute Mountain Reservation of such bonus sums, rentals, and royalties, or other moneys paid or received on account of the leasing of any portion of such lands and now held in a joint account in the Treasury of the United States pursuant to the agreement dated May 9, 1957, between the two tribes, approved by the Area Director of the Bureau of Indian Affairs. In furtherance of the accomplishment of this intent and the attainment of this objective, the parties are hereby authorized to enter into a settlement agreement, in which provision may be made for a recognition in perpetuity of their relative rights to use and to enjoy the surface and the subsurface of the lands identified in section 2 of this Act, including the division of any and all such bonus sums, rentals, and royalties, or other moneys paid or received on account of the leasing of any portion of said lands for any purpose or purposes. Such settlement agreement may be embodied in and be made a part of any decree of the court, which thereupon shall be final and conclusive with respect to the rights and interests of all parties.

SEC. 5. Nothing in this Act shall be deemed to be a congressional determination of the merits of the conflicting tribal, individual Indian, or other claims with respect to the lands that are the subject of this Act.

Approved, February 14, 1968.

PUBLIC LAW 90-266

AN ACT

March 12, 1968
[S. 1727]
82 Stat. 47

To authorize the consolidation and use of funds arising from judgments in favor of the Apache Tribe of the Mescalero Reservation and of each of its constituent groups.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds or the share of the funds, which are or hereafter may be deposited in the Treasury of the United States to the credit of the Mescalero Apache Tribe, the portion of the Chiricahua Apache Tribe on the Mescalero Reservation, and the Lipan Apache Tribe (certain constituent groups of the Apache Tribe of the Mescalero Reservation), or any other constituent group of the Apache Tribe of the Mescalero Reservation, or the Apache Tribe of the Mescalero Reservation, to pay any judgments arising out of proceedings instituted before the Indian Claims Commission in dockets numbered 22-B, 22-C, 22-G, 30, 48, 49, and 182 and the interest on said funds, after payment of attorney fees and expenses, shall be consolidated and credited to the account of the Apache Tribe of the Mescalero Reservation, and the judgment recovered in docket numbered 22-B, and the interest thereon, may be advanced, expended, deposited, invested, or reinvested for any purpose that is authorized by the tribal governing body of the Apache Tribe of the Mescalero Reservation and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribes shall not be subject to Federal or State income tax.

Apache Tribe of Mescalero Reservation Judgment funds.

Approved, March 12, 1968.

PUBLIC LAW 90-270

AN ACT

March 21, 1968
[H. R. 2901]
82 Stat. 51

To designate the Oahe Reservoir on the Missouri River in the States of North Dakota and South Dakota as Lake Oahe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Oahe Reservoir on the Missouri River in the States of North Dakota and South Dakota shall be known and designated hereafter as Lake Oahe in honor of the Indian people who inhabited the great Missouri River Basin. Any law, regulation, document, or record of the United States in which such reservoir is referred to by any other name shall be held and considered to refer to such reservoir by the name of Lake Oahe.

Lake Oahe, N. Dak. S. Dak. Designation.

Approved, March 21, 1968.

PUBLIC LAW 90-272

JOINT RESOLUTION

March 22, 1968
[S. J. Res. 123]
82 Stat. 52

To approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes.

Whereas section 11(a) of the Act of June 13, 1962 (76 Stat. 96; Public Law 87-483), provides that: "No long-term contract, except contracts for the benefit of the lands and for the purposes specified in sections 2 (Navajo Indian irrigation project) and 8 (San Juan-Chama project) of this Act, shall be entered into for the delivery of water stored in Navajo Reservoir or of any other waters of the San Juan River and its tributaries, as aforesaid, until the Secretary has determined by hydrologic investigation that sufficient water to fulfill said contract is reasonably likely to be available for use in the State of New Mexico during the term thereof under the allocations made in articles III and XIV of the Upper Colorado River Basin Compact, and has submitted such determination to the Congress of

43 U. S. C. 615ss

the United States and the Congress has approved such contracts."; and

Whereas the Secretary has made such determination in connection with the following contracts transmitted to Congress by letter dated November 21, 1967:

	Water diversion (acre-feet)	Estimated water depletion (acre-feet)	Proposed uses
Public Service Company of New Mexico	20,200	16,200	Thermal-electric generation.
Southern Union Gas Company	50	50	Pump cooling.
Utah Construction and Mining Company	44,000	35,300	Thermal-electric generation.
	64,250	51,550	

Now, therefore, be it

Water contracts, approval

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That such contracts are hereby approved by the Congress. The Secretary may enter into amendments thereto which would in his judgment be in the interest of water conservation, but the total water depletion shall not exceed the estimates set forth in this joint resolution.

Approved, March 22, 1968.

PUBLIC LAW 90-278

March 30, 1968
[S. 2336]
82 Stat. 69

AN ACT

To determine the respective rights and interests of the Confederated Tribes of the Colville Reservation and the Yakima Tribes of Indians of the Yakima Reservation and their constituent tribal groups in and to a judgment fund on deposit in the Treasury of the United States, and for other purposes.

Indians
Judgment fund rights

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Confederated Tribes of the Colville Reservation, acting through the chairman of its business council, and the Yakima Tribes of Indians of the Yakima Reservation, acting through the chairman of its tribal council, for and on behalf of said tribes and each and all their constituent tribal groups, are each hereby authorized to commence or defend in the United States Court of Claims an action against each other making claims to a share in the funds that are on deposit in the Treasury of the United States to pay a judgment of the Indian Claims Commission dated April 5, 1965, in dockets numbered 161, 222, and 224, and the interest on said funds; and jurisdiction is hereby conferred upon said court to hear such claims and to render judgment and decree thereon making such division of such funds and the interest on such funds, as may be just and fair in law and equity, between the Confederated Tribes of the Colville Reservation and its constituent tribal groups on the one hand, and the Yakima Tribes of Indians of the Yakima Reservation and its constituent tribal groups on the other hand.

Tax exemptions

SEC. 2. Any part of such funds that may be distributed per capita to the members of the tribes shall not be subject to Federal or State income tax.

Approved, March 30, 1968.

PUBLIC LAW 90-279

March 30, 1968
[H. R. 536]
82 Stat. 70

AN ACT

To convey certain Chilocco Indian School lands at Chilocco, Oklahoma, to the Cherokee Nation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in 2,667.94 acres, more or less, of the following described land, which has been determined to be surplus to the needs of the Chilocco Indian School, are hereby conveyed to the Cherokee Nation upon payment therefor at the rate of $3.75 per acre, the original cost of the land:

Chilocco Indian School lands, Okla. Conveyance.

INDIAN MERIDIAN

TOWNSHIP 29 NORTH, RANGE 2 EAST

Section 13, lots 1, 2, 5, 6, and 7, southwest quarter northeast quarter, west half southeast quarter; and the parts of lot 3, southeast quarter northwest quarter, and east half southwest quarter lying east of the east right-of-way line of the Atchison, Topeka and Santa Fe Railroad, 339.53 acres.

Section 16, lots 3 and 4, south half northwest quarter, and southwest quarter, 313.85 acres.

Section 17, lots 1 and 2 (except that part described as "Beginning at a point 39 rods south of the northeast corner of the northeast quarter section 17; township 29 north, range 2 east, Indian meridian; thence 24 rods south, thence 33⅓ rods west, thence 24 rods north, thence 33⅓ rods east to point of beginning, containing 5 acres"), lots 5 to 7, inclusive, southeast quarter northeast quarter, and east half southeast quarter, 313.62 acres.

Section 20, lots 1 and 2 and east half northeast quarter (except that part described as "Beginning at a point 67 rods north of southeast corner of the northeast quarter section 20, township 29 north, range 2 east, Indian meridian, thence north 20 rods, thence west 50 rods, thence south 10 rods, thence east 20 rods, thence south 10 rods, thence east 30 rods to point of beginning, containing 5 acres"), lots 3 and 4, and east half southeast quarter, 316.36 acres.

Section 21, those parts of the northwest quarter and southwest quarter lying west of the west right-of-way line of the S.L. & S.F. Railroad, 150.26 acres.

Section 24, lots 1 to 4, inclusive, west half northeast quarter, west half southeast quarter, and those parts of the east half northwest quarter and southwest quarter lying east of the east right-of-way line of the Atchison, Topeka and Santa Fe Railroad, 398.39 acres.

Section 25, lots 1 to 7, inclusive, west half northeast quarter, northwest quarter southeast quarter, and those parts of the northwest quarter and north half southwest quarter lying east of the east right-of-way line of the Atchison, Topeka and Santa Fe Railroad, 583.25 acres.

Section 26, that part of lot 1 lying east of the east right-of-way line of the Atchison, Topeka and Santa Fe Railroad, 12.68 acres.

Section 29, north half southeast quarter and northeast quarter, 240.00 acres.

SEC. 2. The title of the Cherokee Nation to the land conveyed pursuant to this Act shall be subject to no exemption from taxation or restriction on use, management, or disposition because of Indian ownership.

⊥SEC. 3. This conveyance is subject to existing rights-of-way for waterlines, electric transmission lines, roads, and railroads.

⊥71 Rights-of-way.

SEC. 4. The Indian Claims Commission is directed to determine, in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act, less the payment of $3.75 per acre as provided in section 1,

Claim value, determination.

25 U. S. C. 70a

should or should not be set off against any claim against the United States determined by the Commission.

Approved, March 30, 1968.

PUBLIC LAW 90-280

March 30, 1968
[S. 876]
82 Stat. 71

AN ACT

Relating to Federal support of education of Indian students in sectarian institutions of higher education.

Indians.
Student education.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following provision of section 21, Act of March 2, 1917 (39 Stat. 969, 988; 25 U. S. C. 278), is repealed: "And it is hereby declared to be the settled policy of the Government to hereafter make no appropriation whatever out of the Treasury of the United States for education of Indian children in any sectarian school."

SEC. 2. Funds hereafter appropriated to the Secretary of the Interior for the education of Indian children shall not be used for the education of such children in elementary and secondary education programs in sectarian schools. This prohibition shall not apply to the education of Indians in accredited institutions of higher education and in other accredited schools offering vocational and technical training, but no scholarship aid provided for an Indian student shall require him to attend an institution or school that is not of his own free choice, and such aid shall be, to the extent consistent with sound administration, extended to the student individually rather than to the institution or school.

Approved, March 30, 1968.

PUBLIC LAW 90-284

April 11, 1968
[H. R. 2516]
82 Stat. 73

AN ACT

To prescribe penalties for certain acts of violence or intimidation, and for other purposes.

Civil rights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * *

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TITLE II—RIGHTS OF INDIANS

DEFINITIONS

SEC. 201. For purposes of this title, the term—

(1) "Indian tribe" means any tribe, band, or other group of Indians subject to the jurisdiction of the United States and recognized as possessing powers of self-government;

(2) "powers of self-government" means and includes all governmental powers possessed by an Indian tribe, executive, legislative, and judicial, and all offices, bodies, and tribunals by and through which they are executed, including courts of Indian offenses; and

(3) "Indian court" means any Indian tribal court or court of Indian offense.

INDIAN RIGHTS

SEC. 202. No Indian tribe in exercising powers of self-government shall—

(1) make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition for a redress of grievances;

(2) violate the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures, nor issue warrants, but upon probable cause, supported

by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized;

(3) subject any person for the same offense to be twice put in jeopardy;

(4) compel any person in any criminal case to be a witness against himself;

(5) take any private property for a public use without just compensation;

(6) deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of counsel for his defense;

(7) require excessive bail, impose excessive fines, inflict cruel and unusual punishments, and in no event impose for conviction of any one offense any penalty or punishment greater than imprisonment for a term of six months or a fine of $500, or both; Penalty, limitation.

(8) deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law;

⊥(9) pass any bill of attainder or ex post facto law; or ⊥178

(10) deny to any person accused of an offense punishable by imprisonment the right, upon request, to a trial by jury of not less than six persons.

HABEAS CORPUS

SEC. 203. The privilege of the writ of habeas corpus shall be available to any person, in a court of the United States, to test the legality of his detention by order of an Indian tribe.

TITLE III—MODEL CODE GOVERNING COURTS OF INDIAN OFFENSES

SEC. 301. The Secretary of the Interior is authorized and directed to recommend to the Congress, on or before July 1, 1968, a model code to govern the administration of justice by courts of Indian offenses on Indian reservations. Recommendations to Congress. Such code shall include provisions which will (1) assure that any individual being tried for an offense by a court of Indian offenses shall have the same rights, privileges, and immunities under the United States Constitution as would be guaranteed any citizen of the United States being tried in a Federal court for any similar offense, (2) assure that any individual being tried for an offense by a court of Indian offenses will be advised and made aware of his rights under the United States Constitution, and under any tribal constitution applicable to such individual, (3) establish proper qualifications for the office of judge of the court of Indian offenses, and (4) provide for the establishing of educational classes for the training of judges of courts of Indian offenses. In carrying out the provisions of this title, the Secretary of the Interior shall consult with the Indians, Indian tribes, and interested agencies of the United States.

SEC. 302. There is hereby authorized to be appropriated such sum as may be necessary to carry out the provisions of this title.

TITLE IV—JURISDICTION OVER CRIMINAL AND CIVIL ACTIONS

ASSUMPTION BY STATE

SEC. 401. (a) The consent of the United States is hereby given to any State not having jurisdiction over criminal offenses committed by or

against Indians in the areas of Indian country situated within such State to assume, with the consent of the Indian tribe occupying the particular Indian country or part thereof which could be affected by such assumption, such measure of jurisdiction over any or all of such offenses committeed within such Indian country or any part thereof as may be determined by such State to the same extent that such State has jurisdiction over any such offense committed elsewhere within the State, and the criminal laws of such State shall have the same force and effect within such Indian country or part thereof as they have elsewhere within that State.

(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute or with any regulation made pursuant thereto; or shall deprive any Indian or any Indian tribe, band, or community of any right, privilege, or immunity
179 ⊥ afforded under Federal treaty, agreement, or statute with respect to hunting, trapping, or fishing or the control, licensing, or regulation thereof.

ASSUMPTION BY STATE OF CIVIL JURISDICTION

SEC. 402. (a) The consent of the United States is hereby given to any State not having jurisdiction over civil causes of action between Indians or to which Indians are parties which arise in the areas of Indian country situated within such State to assume, with the consent of the tribe occupying the particular Indian country or part thereof which would be affected by such assumption, such measure of jurisdiction over any or all such civil causes of action arising within such Indian country or any part thereof as may be determined by such State to the same extent that such State has jurisdiction over other civil causes of action, and those civil laws of such State that are of general application to private persons or private property shall have the same force and effect within such Indian country or part thereof as they have elsewhere within that State.

(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute, or with any regulation made pursuant thereto; or shall confer jurisdiction upon the State to adjudicate, in probate proceedings or otherwise, the ownership or right to possession of such property or any interest therein.

(c) Any tribal ordinance or custom heretofore or hereafter adopted by an Indian tribe, band, or community in the exercise of any authority which it may possess shall, if not inconsistent with any applicable civil law of the State, be given full force and effect in the determination of civil causes of action pursuant to this section.

RETROCESSION OF JURISDICTION BY STATE

SEC. 403. (a) The United States is authorized to accept a retrocession by any State of all or any measure of the criminal or civil jurisdiction, or both, acquired by such State pursuant to the provisions of section 1162 of title 18 of the United States Code, section 1360 of title 28 of the United States Code, or section 7 of the Act of August 15, 1953 (67 Stat.
28 U S C 1360 note 588), as it was in effect prior to its repeal by subsection (b) of this section.

(b) Section 7 of the Act of August 15, 1953 (67 Stat. 588), is hereby repealed, but such repeal shall not affect any cession of jurisdiction made pursuant to such section prior to its repeal. Repeal.

CONSENT TO AMEND STATE LAWS

SEC. 404. Notwithstanding the provisions of any enabling Act for the admission of a State, the consent of the United States is hereby given to the people of any State to amend, where necessary, their State constitution or existing statutes, as the case may be, to remove any legal impediment to the assumption of civil or criminal jurisdiction in accordance with the provisions of this title. The provisions of this title shall not become effective with respect to such assumption of jurisdiction by any State until the people thereof have appropriately amended their State constitution or statutes, as the case may be.

⊥ACTIONS NOT TO ABATE ⊥80

SEC. 405. (a) No action or proceeding pending before any court or agency of the United States immediately prior to any cession of jurisdiction by the United States pursuant to this title shall abate by reason of that cession. For the purposes of any such action or proceeding, such cession shall take effect on the day following the date of final determination of such action or proceeding.

(b) No cession made by the United States under this title shall deprive any court of the United Sates of jurisdiction to hear, determine, render judgment, or impose sentence in any criminal action instituted against any person for any offense committed before the effective date of such cession, if the offense charged in such action was cognizable under any law of the United States at the time of the commission of such offense. For the purposes of any such criminal action, such cession shall take effect on the day following the date of final determination of such action.

SPECIAL ELECTION

SEC. 406. State jurisdiction acquired pursuant to this title with respect to criminal offenses or civil causes of action, or with respect to both, shall be applicable in Indian country only where the enrolled Indians within the affected area of such Indian country accept such jurisdiction by a majority vote of the adult Indians voting at a special election held for that purpose. The Secretary of the Interior shall call such special election under such rules and regulations as he may prescribe, when requested to do so by the tribal council or other governing body, or by 20 per centum of such enrolled adults.

TITLE V—OFFENSES WITHIN INDIAN COUNTRY

AMENDMENT

SEC. 501. Section 1153 of title 18 of the United States Code is amended by inserting immediately after "weapon,", the following: "assault resulting in serious bodily injury,". 80 Stat. 1100.

TITLE VI—EMPLOYMENT OF LEGAL COUNSEL

APPROVAL

SEC. 601. Notwithstanding any other provision of law, if any application made by an Indian, Indian tribe, Indian council, or any band or group of Indians under any law requiring the approval of the Secretary of the Interior or the Commissioner of Indian Affairs of contracts or agreements relating to the employment of legal counsel (including the choice of counsel and the fixing of fees) by any such Indians, tribe, council, band, or group is neither granted nor denied within ninety

days following the making of such application, such approval shall be deemed to have been granted.

TITLE VII—MATERIALS RELATING TO CONSTITUTIONAL RIGHTS OF INDIANS

SECRETARY OF INTERIOR TO PREPARE

SEC. 701. (a) In order that the constitutional rights of Indians might be fully protected, the Secretary of the Interior is authorized and directed to—

[81] [1](1) have the document entitled "Indian Affairs, Laws and Treaties" (Senate Document Numbered 319, volumes 1 and 2, Fifty-eighth Congress), revised and extended to include all treaties, laws, Executive orders, and regulations relating to Indian affairs in force on September 1, 1967, and to have such revised document printed at the Government Printing Office;

(2) have revised and republished the treatise entitled "Federal Indian Law"; and

(3) have prepared, to the extent determined by the Secretary of the Interior to be feasible, an accurate compilation of the official opinions, published and unpublished, of the Solicitor of the Department of the Interior relating to Indian affairs rendered by the Solicitor prior to September 1, 1967, and to have such compilation printed as a Government publication at the Government Printing Office.

(b) With respect to the document entitled "Indian Affairs, Laws and Treaties" as revised and extended in accordance with paragraph (1) of subsection (a), and the compilation prepared in accordance with paragraph (3) of such subsection, the Secretary of the Interior shall take such action as may be necessary to keep such document and compilation current on an annual basis.

(c) There is authorized to be appropriated for carrying out the provisions of this title, with respect to the preparation but not including printing, such sum as may be necessary.

* * *

Approved, April 11, 1968.

PUBLIC LAW 90-287

April 12, 1968
[H. R. 10599]
82 Stat. 93

AN ACT

Relating to the Tiwa Indians of Texas.

Tiwa Indians of Ysleta, Tex. Designation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indians now living in El Paso County, Texas, who are descendants of the Tiwa Indians of the Ysleta (Isleta) del Sur Pueblo settling in Texas at Ysleta in 1682, shall, from and after the ratification of this Act, be known and designated as Tiwa Indians of Ysleta, Texas, and shall continue to enjoy all rights, privileges, and immunities enjoyed by them as citizens of the State of Texas and of the United States before the enactment of this Act, and shall continue to be subject to all the obligations and duties of such citizens under the laws of the State of Texas and the United states.

Responsibility, transfer.

SEC. 2. Responsibility, if any, for the Tiwa Indians of Ysleta del Sur is hereby transferred to the State of Texas. Nothing in this Act shall make such tribe or its members eligible for any services performed by the United States for Indians because of their status as Indians nor subject the United States to any responsibility, liability, claim, or demand of any nature to or by such tribe or its members arising out of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be

applicable to the Tiwa Indians of Ysleta del Sur. Nothing herein shall preclude the application to the people of the Tiwa Indians of programs undertaken pursuant to the Economic Opportunity Act of 1964 (78 Stat. 508), as heretofore or hereafter amended.

42 U. S. C. 2701 note

Approved, April 12, 1968.

PUBLIC LAW 90-306

AN ACT

May 17, 1968
[S. 391]
82 Stat. 121

To amend the Act of March 1, 1933 (47 Stat. 1418), entitled "An Act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes".

Navajo Indian Reservation, Utah.
Use of revenues; expansion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of March 1, 1933 (47 Stat. 1418), is amended by deleting all of that part of the last proviso of said section 1 after the word "Utah" and inserting in lieu thereof: "for the health, education, and general welfare of the Navajo Indians residing in San Juan County. Planning for such expenditures shall be done in cooperation with the appropriate departments, bureaus, commissions, divisions, and agencies of the United States, the State of Utah, the county of San Juan in Utah, and the Navajo Tribe, insofar as it is reasonably practicable, to accomplish the objects and purposes of this Act. Contribution may be made to projects and facilities within said area that are not exclusively for the benefits of the beneficiaries hereunder in proportion to the benefits to be received therefrom by said beneficiaries, as may be determined by the State of Utah through its duly authorized officers, commissions, or agencies. An annual report of its accounts, operations, and recommendations concerning the funds received hereunder shall be made by the State of Utah, through its duly authorized officers, commissions, or agencies, to the Secretary of the Interior and to the Area Director of the Bureau of Indian Affairs for the information of said beneficiaries."

Report.

Approved, May 17, 1968.

PUBLIC LAW 90-308

AN ACT

May 17, 1968
[S. 1119]
82 Stat. 123

To grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Montana, to certain Indians, and for other purposes.

Crow Indian Reservation, Mont.
Mineral rights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of June 4, 1920 (41 Stat. 751), as amended by the Act of May 26, 1926 (44 Stat. 658), as further amended by the Act of September 16, 1959 (73 Stat. 565), is hereby amended to read as follows:

"SEC. 6. (a) Any and all minerals, including oil and gas, on any of the lands to be allowed hereunder are reserved in perpetuity for the benefit of the members of the tribe in common and may, with the consent of the tribal council be leased for mining purposes in accordance with the provisions of the Act of May 11, 1938 (52 Stat. 347; 25 U. S. C. 396a–f), under such rules, regulations, and conditions as the Secretary of the Interior may prescribe: *Provided,* That leases entered into pursuant to section 6 of the Act of June 4, 1920 (41 Stat. 751), as amended by the Act of May 26, 1926 (44 Stat. 658), may with the consent of the tribal council and under such rules, regulations, and conditions as the Secretary of the Interior may prescribe, be renegotiated and amended to change the terms thereof to ten years and as long thereafter as minerals are produced in paying quantities."

Approved, May 17, 1968.

PUBLIC LAW 90-309

May 17, 1968
[S. 2745]

82 Stat. 123

AN ACT

To provide for the observance of the centennial of the signing of the 1868 Treaty of Peace between the Navajo Indian Tribe and the United States.

Navajo Indian Peace treaty Centennial

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is requested (1) to issue a proclamation designating the calendar year 1968 as the centennial of the signing of the 1868 Treaty of Peace between the Navajo Indian Tribe and the United States, and calling upon the Governors of the States, mayors of cities, and other public officials, as well as other persons, organizations, and groups, to observe such centennial by appropriate celebrations and ceremonies and (2) to provide, in such manner as he deems appropriate, for participation by Federal agencies and officials in such observance.

15 Stat. 667

Observances, congressional representatives.

SEC. 2. The President of the Senate is authorized to appoint eight Members of the Senate, and the Speaker of the House of Representatives is authorized to appoint eight Members of the House of Representatives, to represent the Congress in connection with observances and activities of the Navajo Indian Tribe commemorating the historic events that preceded, and are associated with, the signing of the 1868 Treaty of Peace between the Navajo Indian Tribe and the United States.

Approved, May 17, 1968.

PUBLIC LAW 90-310

May 18, 1968
[S. 1173]

82 Stat. 124

AN ACT

To convey certain federally owned lands to the Cheyenne and Arapaho Tribes of Oklahoma.

Cheyenne and Arapaho Tribes, Okla. Land conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, all right, title, and interest of the United States in and to the following described land, and improvements thereon, are hereby conveyed to the Cheyenne and Arapaho Tribes of Oklahoma:

All of the northwest quarter section 18, township 12 north, range 16 west, Indian meridian, Custer County, State of Oklahoma, except approximately thirty-one and twenty-five-hundredths acres located in the easterly part of the east half northwest quarter described as follows:

Beginning at a point 259 feet west of the northeast corner of the east half northwest quarter section 18, township 12 north, range 16 west, thence west along the north section line of said section 18 for a distance of 426 feet; thence south 1 degree 20 minutes west for a distance of 1,487 feet; thence south 88 degrees 20 minutes east for a distance of 284 feet; then south 0 degree 50 minutes west for a distance of 987.5 feet; thence south 42 degrees 54 minutes west for a distance of 223.9 feet to the east-west quarter section line of said section 18; thence east along said quarter section line for a distance of 570 feet to the southeast corner of said northwest quarter of section 18; thence north 0 degree 43 minutes east along the north-south quarter section line for a distance of 2,315 feet; thence west for a distance of 259 feet; thence north 0 degree 43 minutes east for a distance of 325 feet to the point of beginning.

Nonexemption to taxation.

SEC. 2. The title of the tribes to the land conveyed pursuant to this Act shall be subject to no exemption from taxation or restriction on use, management, or disposition because of Indian ownership.

Claims.

SEC. 3. This conveyance is subject to existing rights-of-way for waterlines, electric transmission lines, roads, and railroads.

SEC. 4. The Indian Claims Commission is directed to determine, in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. 25 U. S. C. 70a.

Approved, May 18, 1968.

PUBLIC LAW 90-317

AN ACT

May 24, 1968
[S. 528]
82 Stat. 171

To place in trust status certain lands on the Wind River Indian Reservation in Wyoming.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in and to the following described tracts of land and the improvements thereon on the Wind River Indian Reservation in Wyoming, shall hereafter be held by the United States in trust for the benefit of the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Indian Reservation, Wyoming. Wind River Indian Reservation, Wyo. Lands in trust.

Township 1 North, Range 1 East, Wind River Meridian, Wyoming

Tract number 1, section 28, southwest quarter southwest quarter southeast quarter southwest quarter, 2.50 acres;

Tract number 2, section 31, south half southeast quarter northeast quarter northwest quarter, 5.00 acres;

Tract number 3, section 36, west half southwest quarter northwest quarter southwest quarter, southwest quarter northwest quarter northwest quarter southwest quarter, 7.50 acres. Comprising a total of 15.00 acres.

SEC. 2. This conveyance is subject to all valid existing rights-of-way of record.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. Claims. 25 U. S. C. 70a.

Approved, May 24, 1968.

PUBLIC LAW 90-332

AN ACT

June 7, 1968
[H. R. 14922]
82 Stat. 171

To amend Public Law 90-60 with respect to judgment funds of the Ute Mountain Tribe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of the Act of August 1, 1967 (Public Law 90-60, 81 Stat. 164), is amended as follows: Ute Mountain Indian Tribe. Judgment funds. 25 U. S. C. 676a.

(a) After "Ute Indian Tribe of the Uintah and Ouray Reservation" insert a comma;

(b) After " Ute Distribution Corporation" insert ", to the Ute Mountain Tribe of the Ute Mountain Reservation,"; and

(c) After "the Act of August 21, 1951 (65 Stat. 193), as amended," insert "the Act of August 12, 1953 (67 Stat. 540),". 25 U. S. C. 671-675.

Approved, June 7, 1968.

PUBLIC LAW 90-333

AN ACT

June 8, 1968
[H. R. 14672]
82 Stat. 171

To amend the Act of February 14, 1931, relating to the acceptance of gifts for the benefit of Indians.

Indians.
Gifts for advancement, acceptance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of February 14, 1931 (46 Stat. 1106; 25 U. S. C. 451), is amended to read as follows: "The Secretary of the Interior may accept donations of funds or other property for the advancement of the Indian race, and he may use the donated property in accordance with the terms of the donation in furtherance of any program authorized by other provision of law for the benefit of Indians. An annual report shall be made to the Congress on donations received and allocations made from such donations. This report shall include administrative costs and other pertinent data."

Report to Congress.

Approved, June 8, 1968.

PUBLIC LAW 90-335

June 10, 1968
[H. R. 3299]
82 Stat. 174

AN ACT

To authorize the purchase, sale, and exchange of certain lands on the Spokane Indian Reservation, and for other purposes.

Spokane Indian Reservation, Wash.
Lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) for the purpose of effecting consolidations of land situated within the Spokane Indian Reservation in the State of Washington into the ownership of the tribe and of individual tribal members and for the purpose of attaining and preserving an economic land base for Indian use, alleviating problems of Indian heirship and assisting in the productive leasing, disposition, and other use of tribal lands, the Secretary of the Interior is authorized in his discretion to:

(1) Purchase for the Spokane Tribe of Indians with any funds of such tribe and to otherwise acquire by gift, exchange, or relinquishment any lands or interest in lands or improvements thereon within the Spokane Indian Reservation.

(2) Sell or approve sales of any tribal trust lands, any interest therein or improvements thereon.

(3) Exchange any tribal trust lands, including interests therein or improvements thereon, for any lands situated within such reservation.

(b) The Secretary of the Interior is authorized to sell and exchange individual Indian trust lands held in multiple ownership to the Spokane Tribe or to individual members thereof if the sale or exchange is authorized in writing by owners of at least a majority interest in such lands; except that no greater percentage of approval of individual Indians shall be required under this Act than in any other statute of general application approved by Congress.

Nontaxability.

(c) Title to lands, or any interests therein, acquired pursuant to this Act by the Spokane Tribe or individual enrolled members thereof, shall be taken in the name of the United States of America in trust for the tribe or individual Indian, and shall be nontaxable as other tribal and allotted Indian trust lands of the Spokane Reservation: *Provided, however,* That the value on nontrust lands, or nontrust interests in land, acquired under this Act by the Spokane Tribe during any twelve-month period shall not exceed the value of lands, or interests in land, that passed in any manner from a nontaxable trust status to a taxable fee status within the boundaries of the Spokane Reservation in Stevens County, Washington, during the twelve-month period preceding acquisition by the tribe.

Value limitation.

Lands held by mortgage or deed of trust.

(d) That any tribal land that may be sold pursuant to this Act may, with the approval of the Secretary of the Interior, be encumbered by a mortgage or deed of trust and shall be subject to foreclosure or sale pursuant to the terms of such a mortgage or deed of trust in accordance with the laws of the State of Washington. The United States shall be an indispensable party to any such proceeding with the right of removal of the cause to the United States district court for the district in which the land is located, following the procedure in section

1446, title 28, United States Code: *Provided*, That the United States shall have the right to appeal from any order of remand in the case. 79 Stat. 887.

(e) The acquisition and sale of lands for the Spokane Tribe pursuant to this Act shall be upon request of the business council of the Spokane Tribe, evidenced by a resolution adopted in accordance with the constitution and bylaws of the tribe, and shall be in accordance with a land purchase and consolidation plan approved by the Secretary of the Interior, and except as it may otherwise be authorized or ⊥prescribed by the Secretary, shall be limited to lands situated within ⊥175
the boundary of the Spokane Reservation. Such acquisition by the Spokane Tribe, or individual members thereof, may be achieved by exchange of lands with Indians or non-Indians as well as by outright purchase, with adjusting payments to approximate equal value. Moneys or credits received by the tribe in the sale of lands shall be used for the purchase of other lands, or for such other purpose as may be consistent with the land purchase and consolidation program, approved by the Secretary of the Interior.

(f) Section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended, is hereby further amended by inserting the words "the Spokane Reservation," after the words "the Fort Mojave Reservation.". 77 Stat. 301
25 U. S. C. 415.

Approved, June 10, 1968.

PUBLIC LAW 90-337

AN ACT

June 10, 1968
[H. R. 15271]
82 Stat. 175

To authorize the use of funds arising from a judgment in favor of the Spokane Tribe of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Spokane Tribe of Indians that were appropriated by the Act of May 29, 1967 (81 Stat. 30), to pay a judgment by the Indian Claims Commission in Dockets 331 and 331A, and interest thereon, less payment of attorneys' fees and expenses, may be advanced, expended, invested, or reinvested for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed to the members of the tribe shall not be subject to the Federal or State income tax. Spokane Tribe of Indians Judgment funds. Tax exemptions.

Approved, June 10, 1968.

PUBLIC LAW 90-351

AN ACT

June 19, 1968
[H. R. 5037]
82 Stat. 197

To assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Omnibus Crime Control and State Streets Act of 1968". Omnibus Crime Control and Safe Streets Act of 1968.

TITLE I—LAW ENFORCEMENT ASSISTANCE

DECLARATIONS AND PURPOSE

Congress finds that the high incidence of crime in the United States threatens the peace, security, and general welfare of the Nation and its citizens. To prevent crime and to insure the greater safety of the people, law enforcement efforts must be better coordinated, intensified, and made more effective at all levels of government.

Congress finds further that crime is essentially a local problem that

must be dealt with by State and local governments if it is to be controlled effectively.

⊥1198 ⊥It is therefore the declared policy of the Congress to assist State and local governments in strengthening and improving law enforcement at every level by national assistance. It is the purpose of this title to (1) encourage States and units of general local government to prepare and adopt comprehensive plans based upon their evaluation of State and local problems of law enforcement; (2) authorize grants to States and units of local government in order to improve and strengthen law enforcement; and (3) encourage research and development directed toward the improvement of law enforcement and the development of new methods for the prevention and reduction of crime and the detection and apprehension of criminals.

* * *

⊥1209 ⊥PART F—DEFINITIONS

SEC. 601. As used in this title—

* * *

(d) "Unit of general local government" means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, or an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior.

* * *

Approved, June 19, 1968.

PUBLIC LAW 90-355

June 20, 1968
[H. R. 1409]
82 Stat. 242

AN ACT

To amend the Act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona.

Indians.
Long term leases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U. S. C. 415), is hereby further amended by inserting the words "the Hualapai Reservation," after the words "the Fort Mojave Reservation,".

Approved, June 20, 1968.

PUBLIC LAW 90-392

July 9, 1968
[H. R. 17734]
82 Stat. 307

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

Second Supplemental Appropriation Act, 1968.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1968") for the fiscal year ending June 30, 1968, and for other purposes, namely:

TITLE I

* * *

1313 ⊥CHAPTER VI—DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $5,732,000.

* * *

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PUBLIC HEALTH SERVICE

INDIAN HEALTH ACTIVITIES

For an additional amount for "Indian Health Activities", $2,857,000, to be derived by transfer from the amounts reserved pursuant to Public Law 90–218, under appropriations available to the Public Health Service, as follows: 81 Stat. 662

"Communicable diseases", $419,000;

"National Institute of Neurological Diseases and Blindness", $1,677,000;

"National Institute of Allergy and Infectious Diseases", $180,000; and

"Mental health research and services", $581,000.

* * *

⊥TITLE II—INCREASED PAY COSTS ⊥321

For additional amounts for appropriations for the fiscal year 1968, for increased pay costs authorized by or pursuant to law, as follows:

* * *

⊥DEPARTMENT OF THE INTERIOR ⊥329

* * *

BUREAU OF INDIAN AFFAIRS

"General administrative expenses", $125,000.

* * *

⊥OTHER INDEPENDENT AGENCIES ⊥335

* * *

⊥INDIAN CLAIMS COMMISSION ⊥336

"Salaries and expenses": (Release of $15,000 pursuant to Public Law 90–218).

* * *

Approved, July 9, 1968.

PUBLIC LAW 90–393

AN ACT

July 11, 1968
[S. 203]

To amend sections 13 (b) of the Acts of October 3, 1962 (76 Stat. 698, 704), and for other purposes. 82 Stat. 337

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13 (b) of the Act of October 3, 1962 (76 Stat. 698), entitled "An Act to provide for the acquisition of and the payment for individual Indian and tribal lands of the Lower Brule Sioux Reservation in South Dakota, required by the United States for the Big Bend Dam and Reservoir project on the Missouri River, and for the rehabilitation, ⊥social, and economic development of the members of the tribe, and for other purposes", and section 13 (b) of the Act of October 3, 1962 (76 Stat. 704), entitled "An Act to provide for the acquisition of and the payment for individual Indian and tribal lands of the Crow Creek Sioux Reservation in South Dakota, required by the United States for the Big Bend Dam and Reservoir project on the Missouri River, and for the rehabilitation, social, and economic development of the members of the tribe, and for other purposes", are hereby amended by striking out the words "within one year after the date of rejection.", and by inserting ", or by the United States to determine just compensation, on or before September 1, 1969." Indians, S. Dak. Tribal Lands ⊥338

Approved, July 11, 1968.

PUBLIC LAW 90-402

AN ACT

July 18, 1968
[S. 2701]

82 Stat. 356

To provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Montana.

Flathead Reservation, Mont.
Tribal lands, sale or exchange.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon request of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, acting through their governing body, the Secretary of the Interior is authorized to dispose of the following described tribal lands within the exterior boundaries of the reservation by sale at not less than fair market value or by exchange: *Provided,* That ⊥the values of any lands so exchanged either shall be approximately equal in fair market value, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require:

⊥357

Township 17 north, range 20 west, M.P.M., section 6, lots 2, 3, 4, containing 118.53 acres.

Township 18 north, range 21 west, M.P.M., section 20, north half north half northwest quarter southeast quarter, containing 10.00 acres.

Township 19 north, range 21 west, M.P.M., section 28 south half northeast quarter, containing 80.00 acres.

Township 20 north, range 21 west, M.P.M., section 1 northeast quarter southwest quarter, containing 40.00 acres.

Township 22 north, range 22 west, M.P.M., section 3 north half southeast quarter, containing 80.00 acres.

Township 19 north, range 23 west, M.P.M., section 5 northeast quarter southwest quarter, containing 40.00 acres; section 35 south half northeast quarter, southeast quarter northwest quarter, northeast quarter southeast quarter, containing 160.00 acres.

Township 20 north, range 23 west, M.P.M., section 15 northeast quarter, southeast quarter northwest quarter, containing 200.00 acres; section 17 west half southwest quarter, containing 80.00 acres; section 18 southeast quarter northeast quarter, east half southeast quarter, containing 120.00 acres; section 29 northwest quarter southwest quarter, containing 40.00 acres; section 30 northeast quarter southeast quarter, containing 40.00 acres; section 29 west half southwest quarter southwest quarter southwest quarter, containing 5.00 acres; section 32 northwest quarter northwest quarter northwest quarter northwest quarter, containing 2.50 acres.

Township 22 north, range 23 west, M.P.M., section 9 southwest quarter northeast quarter, southeast quarter northwest quarter, east half southwest quarter, west half southeast quarter, containing 240.00 acres.

Township 23 north, range 23 west, M.P.M., section 3 southwest quarter northeast quarter, containing 40.00 acres; section 5 west half southeast quarter northwest quarter, southwest quarter northwest quarter, containing 60.00 acres; section 17 southeast quarter southeast quarter, containing 40.00 acres; section 19 lots 2 and 4, southeast quarter northwest quarter, containing 103.21 acres.

Township 24 north, range 23 west, M.P.M., section 19, southwest quarter, northeast quarter, northeast quarter southwest quarter, east half southeast quarter, containing 160.00 acres; section 20, southwest quarter southwest quarter, containing 40.00 acres; section 30, northeast quarter northeast quarter, containing 40.00 acres.

Township 23 north, range 24 west, M.P.M., section 1, northeast

quarter southwest quarter, containing 40.00 acres; section 3, northwest quarter southeast quarter, containing 40.00 acres; section 24, northeast quarter southeast quarter northeast quarter, south half southeast quarter northeast quarter, southeast quarter southeast quarter southeast quarter, containing 40.00 acres.

Township 24 north, range 24 west, M.P.M., section 1, lot 2, containing 26.10 acres; section 35, northwest quarter northeast quarter, containing 40.00 acres.

The net proceeds from the sale or exchange of lands pursuant to this section shall be used to acquire within a reasonable time additional lands within the reservation boundaries in accordance with section 2 of this Act.

⊥SEC. 2. Upon request of the Confederated Salish and Kootenai ⊥358
Tribes, the Secretary of the Interior is authorized to acquire Indian- or non-Indian-owned lands within the reservation boundaries for such tribes, and such lands may be held for tribal use or for sale to tribal members. Title to lands acquired pursuant to this authority shall be taken in the name of the United States in trust for the tribes or the tribal member to whom the land is sold.

Approved, July 18, 1968.

PUBLIC LAW 90-414

JOINT RESOLUTION

July 21, 1968
[S. J. Res. 157]
82 Stat. 396

To supplement Public Law 87-734 and Public Law 87-735 which took title to certain lands in the Lower Brule and Crow Creek Indian Reservations.

Lower Brule and Crow Creek Indian Reservations, S. Dak.
Payment of claims.
76 Stat. 698, 704

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall pay to the persons who owned unrestricted interests in the lands taken by the enactment of Public Law 87-734 and Public Law 87-735, or to their heirs, unless they previously have been compensated, from the funds appropriated pursuant to such public laws, the amounts apportioned by the Secretary to their respective interests. Payment shall be made only on the basis of a claim filed with the Secretary within one year from the date of this Act. The Secretary shall take such action as he deems feasible to notify the persons who he believes are entitled to file claims, but the failure to receive such notice shall not affect the provisions of this Act. Any sum not timely ⊥claimed and paid shall be credited to the account of the ⊥397
tribe occupying the reservation where the land is located, and no further claim with respect thereto shall be recognized by the United States. Acceptance of a payment pursuant to this Act shall be deemed to be a release of any further claim by such person against the United States based on such taking, unless the person accepting payment notifies the Secretary in writing at the time of payment that he regards the payment as less than just compensation, and that he intends to commence a judicial proceeding under other provisions of law to recover additional compensation. No such judicial proceeding shall be entertained by any court unless it is commenced within three months after tender of payment by the Secretary.

Approved, July 21, 1968.

PUBLIC LAW 90-424

AN ACT

July 24, 1968
[H. R. 5704]
82 Stat. 424

To grant minerals, including oil, gas, and other natural deposits, on certain lands in the Northern Cheyenne Indian Reservation, Montana, to certain Indians, and for other purposes.

Northern Cheyenne Indian Reservation, Mont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the

Minerals grant.

Act of June 3, 1926 (44 Stat. 690), as amended by the Act of July 24, 1947 (61 Stat. 418), and the Act of September 22, 1961 (75 Stat. 586), is hereby amended to read as follows:

"SEC. 3. (a) The coal or other minerals, including oil, gas, and other natural deposits, on said reservation are hereby reserved in perpetuity for the benefit of the tribe and may be leased with the consent of the Indian council for mining purposes in accordance with the provisions of the Act of May 11, 1938 (52 Stat. 347; 25 U. S. C. 396a–f), under such rules, regulations, and conditions as the Secretary of the Interior may prescribe.

70 Stat. 774.
25 U. S. C. 396a–396g.

1425

⊥"(b) The unallotted lands of said tribe of Indians shall be held in common, subject to the control and management thereof as Congress may deem expedient for the benefit of said Indians."

SEC. 2. The Northern Cheyenne Tribe is authorized to commence in the United States District Court for the District of Montana an action against the allottees who received allotments pursuant to the Act of June 3, 1926, as amended, their heirs or devisees, either individually or as a class, to determine whether under the provisions of the Act of June 3, 1926, as amended, the allottees, their heirs or devisees, have received a vested property right in the minerals which is protected by the fifth amendment. The United States District Court for the District of Montana shall have jurisdiction to hear and determine the action and an appeal from its judgment may be taken as provided by law. If the court determines that the allottees, their heirs or devisees, have a vested interest in the minerals which is protected by the fifth amendment, or if the tribe does not commence an action as here authorized within two years from the date of this Act, the first section of this Act shall cease to have any force or effect, and the provisions of section 3 of the Act of June 3, 1926, as amended by the Acts of July 24, 1947, and September 21, 1961, shall thereupon be carried out as fully as if section 3 had not been amended by this Act.

Approved, July 24, 1968.

PUBLIC LAW 90–425

AN ACT

July 26, 1968
H. R. 17354
82 Stat. 425

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

Department of the Interior and Related Agencies Appropriation Act, 1969.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

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⊥BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops; $140,693,000.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts, as authorized by law; $50,240,000.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; $25,471,000, to remain available until expended: *Provided,* That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, and Utah outside of the boundaries of existing Indian reservations except lands authorized by law to be acquired for the Navajo Indian Irrigation Project: *Provided further,* That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations except such lands as may be required for replacement of the Wild Horse Dam in the State of Nevada: *Provided further,* That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation. 1428

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, $18,000,000, to remain available until expended. 72 Stat. 906

REVOLVING FUND FOR LOANS

For payment to the revolving fund for loans, for loans as authorized in section 1 of the Act of November 4, 1963, as amended (25 U. S. C. 70n–1), $450,000. 77 Stat. 301; 80 Stat. 814

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $4,767,000.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of

18 U. S. C. 1124 note

May 27, 1930 (46 Stat. 391), including cash grants; and employment of a curator for the Osage Museum, who shall be appointed with the approval of the Osage Tribal Council and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the

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current fiscal year for such purposes as may be designated by ⊥the governing body of the particular tribe involved and approved by the Secretary: *Provided further*, That nothing contained in this paragraph or in any other provision of law shall be construed to authorize the expenditure of funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims, except for such amounts as may be necessary to pay attorney fees, expenses of litigation, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds will be used: *Provided further*, That the limitations contained in the foregoing paragraph shall not apply to any judgment proceeds or other funds, revenues or receipts due the Shoshone Indian Tribe of the Wind River Reservation, Wyoming, and any such funds may be distributed to them under the provisions of the Act of May 19, 1947, as amended (61 Stat. 102, 25 U. S. C. 611–613): *Provided*,

72 Stat. 541

however, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation, except as provided for by

Ante, p. 174.

the Act of July 24, 1956 (70 Stat. 627), and by H. R. 3299, Ninetieth Congress.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed seventy-five passenger motor vehicles including seventy-two for police-type use which may exceed by $300 each the general purchase price limitation for the current year, of which forty-six shall be for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts

49 Stat. 1458.
25 U. S. C. 309, 309a

executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), the Act of August 3, 1956 (70 Stat. 986), and legislation terminating Federal supervision over certain Indian tribes; and expenses required by continuing or permanent treaty provisions.

* * *

1438

⊥TITLE II—RELATED AGENCIES

* * *

1440

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, PUBLIC HEALTH SERVICE

INDIAN HEALTH ACTIVITIES

42 U. S. C. 2001, 2004a

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (68 Stat. 674), as amended; purchase of not to exceed nine passenger motor vehicles for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 301 (with respect to research conducted at facilities financed by this appropriation), 311, 321, 322 (d),

58 Stat. 691; 81 Stat. 539.
42 U. S. C. 241, 243, 248, 249, 251, 254a, 227
25 U. S. C. 891 note.

324, 328, and 509 of the Public Health Service Act; $90,860,000, of which $350,000 shall be available for payments on account of the Menominee Indian people as authorized by section 1 of the Act of October 14, 1966 (80 Stat. 903).

⊥CONSTRUCTION OF INDIAN HEALTH FACILITIES ⊥441

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U. S. C. 2004a); $14,100,000 to remain available until expended. 73 Stat. 267.

* * *

INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U.S.C. 70), as amended (81 Stat. 11), creating an Indian Claims Commission, $619,000, of which not to exceed $20,000 shall be available for expenses of travel. 60 Stat. 1049.

* * *

Approved, July 26, 1968.

PUBLIC LAW 90-445

AN ACT

July 31, 1968
[H. R. 12120]
82 Stat. 462

To assist the courts, correctional systems, community agencies, and primary and secondary public school systems to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Juvenile Delinquency Prevention and Control Act of 1968". Juvenile Delinquency Prevention and Control Act of 1968.

* * *

⊥TITLE IV—ADMINISTRATION ⊥471

* * *

DEFINITIONS

⊥SEC. 410. For purposes of this Act— ⊥473

* * *

(3) The term "public agency" means a duly elected political body or a subdivision thereof and shall not be construed to include the Office of Economic Opportunity. Such term includes an Indian tribe. In the case of a grant under part A of title I or section 132, if the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of any planning, project, or program, he may increase the Federal share of the cost thereof payable under this Act to the extent necessary, notwithstanding the maximum otherwise imposed by this Act on the portion of such cost which may be so payable.

* * *

Approved, July 31, 1968.

PUBLIC LAW 90-448

AN ACT

August 1, 1968
[S. 3497]
82 Stat. 476

To assist in the provision of housing for low and moderate income families, and to extend and amend laws relating to housing and urban development.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing and Urban Development Act of 1968". Housing and Urban Development Act of 1968.

* * *

1498 ⊥TITLE II—RENTAL HOUSING FOR LOWER INCOME FAMILIES

* * *

1503 ⊥PART B—LOW-RENT PUBLIC HOUSING

* * *

1504 ⊥PUBLIC HOUSING IN INDIAN AREAS

50 Stat. 888, 63 Stat. 429. 42 U. S. C. 1401.

SEC. 206. (a) Section 1 of the United States Housing Act of 1937 is amended by striking out "urban and rural nonfarm" in the first sentence and inserting in lieu thereof "urban, rural nonfarm, and Indian".

63 Stat. 430. 42 U. S. C. 1410.

(b) Section 10 (a) of such Act is amended by inserting "or Indian" after "nonfarm" in the fourth proviso.

* * *

1518 ⊥TITLE V—URBAN RENEWAL

* * *

1525 ⊥WORKABLE PROGRAM REQUIREMENT IN CASE OF INDIAN TRIBES

78 Stat. 785. 42 U. S. C. 1451.

SEC. 513. Section 101(c) of the Housing Act of 1949 is amended by inserting after "1964" in the second proviso the following: "or, in the case of an Indian tribe, band, or nation, commencing January 1, 1970".

* * *

1526 ⊥TITLE VI—URBAN PLANNING AND FACILITIES

COMPREHENSIVE PLANNING

73 Stat. 678. 40 U. S. C. 461.

SEC. 601. Section 701 of the Housing Act of 1954 is amended to read as follows:

"COMPREHENSIVE PLANNING

"SEC. 701. (a) In order to assist State and local governments in solving planning problems, including those resulting from the increasing concentration of population in metropolitan and other urban areas 1527 ⊥and the out-migration from and lack of coordinated development of resources and services in rural areas; to facilitate comprehensive planning for urban and rural development, including coordinated transportation systems, on a continuing basis by such governments; and to encourage such governments to establish and improve planning staffs and techniques on an areawide basis, and to engage private consultants where their professional services are deemed appropriate by the assisted governments, the Secretary is authorized to make planning grants to—

"(1) State planning agencies for the provision of planning assistance to (A) cities and other municipalities having a population of less than 50,000 according to the latest decennial census, and counties without regard to population: *Provided*, That grants shall be made under this paragraph for planning assistance to counties having a population of 50,000 or more, according to the latest decennial census, which are within metropolitan areas, only if (i) the Secretary finds that planning and plans for such county will be coordinated with the program of comprehensive planning, if any, which is being carried out for the metropolitan area of which the county is a part, and (ii) the aggregate amount of the grants made subject to this proviso does not exceed 15 per centum of the aggregate amount appropriated, after September 2, 1964, for the purposes of this section, (B) any group of adjacent communities, either incorporated or unincorporated, having a total population of less than 50,000 according to the latest decennial census and having common or related urban planning problems, (C) cities, other municipalities, and counties referred to in

paragraph (3) of this subsection, and areas referred to in paragraph (4) of this subsection, and (D) Indian reservations;

* * *

⊥"(7) metropolitan and regional planning agencies, with the approval of the State planning agency or (in States where no such planning agency exists) of the Governor of the State, for the provision of planning assistance within the metropolitan area or region to cities, other municipalities, counties, groups of adjacent communities, or Indian reservations described in clauses (A), (B), (C), and (D) of paragraph (1) of this subsection; ⊥1528

* * *

"(9) tribal planning councils or other tribal bodies designated by the Secretary of the Interior for planning for an Indian reservation;

* * *

"(d) It is the further intent of this section to encourage comprehensive planning, including transportation planning, for States, cities, counties, metropolitan areas, districts, regions, and Indian reservations and the establishment and development of the organizational units needed therefor. In extending financial assistance under this section, the Secretary may require such assurances as he deems adequate that the appropriate State and local agencies are making reasonable progress in the development of the elements of comprehensive planning. The Secretary is authorized to provide technical assistance to State and local governments and their agencies and instrumentalities, and to Indian tribal bodies, undertaking such planning and, by contract or otherwise, to make studies and publish information on related problems.

* * *

Approved, August 1, 1968.

PUBLIC LAW 90-468

AN ACT

August 8, 1968
[H. R. 9098]
82 Stat. 663

To revise the boundaries of the Badlands National Monument in the State of South Dakota, to authorize exchanges of land mutually beneficial to the Oglala Sioux Tribe and the United States, and for other purposes.

Badlands National Monument, S. Dak. Boundary revision.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to include lands of outstanding scenic and scientific character in the Badlands National Monument, the boundaries of the monument are revised as generally depicted on the map entitled "Badlands National Monument", numbered NM-BL-7021B, dated August 1967, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary of the Interior may make minor adjustments in the boundaries, but the total acreage in the monument may not exceed the acreage within the boundaries depicted on the map referred to herein. Lands within the boundaries of the monument that are acquired by the United States shall be subject to the laws and regulations applicable to the monument.

SEC. 2. (a) Subject to the provisions of subsection (b) hereof, the Secretary of the Interior may, within the boundaries of the monument, acquire lands and interests in lands by donation, purchase with donated or appropriated funds, or exchange, except that any lands or interests in lands owned by the State of South Dakota, a political subdivision thereof, or the Oglala Sioux Tribe of South Dakota may be acquired only with the consent of owner. Notwithstanding any other provision of law, lands and interests in lands located within the monument under the administrative jurisdiction of any other Federal

agency may be transferred to the administrative jurisdiction of the Secretary without a transfer of funds.

(b) As to lands located within the boundaries of the monument but outside the boundaries of the gunnery range referred to in section 3 hereof, the Secretary of the Interior may acquire only rights-of-way and scenic easements.

Pine Ridge Sioux Indian Reservation, land exchange.

SEC. 3. Inasmuch as (A) most of the lands added to the Badlands National Monument by section 1 of this Act are inside the boundaries of the Pine Ridge Sioux Indian Reservation, (B) such lands are also within a tract of land forty-three miles long and twelve and one-half miles wide which is in the northwestern part of such Indian reservation and has been used by the United States Air Force as a gunnery range since the early part of World War II, (C) the tribal lands within such gunnery range were leased by the Federal Government and the other lands within such gunnery range were purchased by the Federal Government from the individual owners (mostly Indians), (D) the Department of the Air Force has declared most of such gunnery range lands excess to its needs and such excess lands have been requested by the National Park Service under the Federal Property and Administrative Services Act of 1949, (E) the leased tribal lands and the excess lands within the enlarged Badlands National Monument are needed for the monument, (F) the other excess lands in such gunnery range should be restored to the former Indian owners of such lands, and (G) the tribe is unwilling to sell its tribal lands for inclusion in the national monument, but is willing to exchange them or interests therein for the excess gunnery range lands, which, insofar as the lands within the gunnery range formerly held by the tribe are concerned, should be returned to Indian ownership in any event, the Congress hereby finds that such exchange would be in the national interest and authorizes the following actions:

63 Stat. 377.
40 U.S.C. 471 note.

⊥664

⊥(a) All Federal lands and interests in lands within the Badlands Air Force gunnery range that are outside the boundaries of the monument and that heretofore or hereafter are declared excess to the needs of the Department of the Air Force shall be transferred to the administrative jurisdiction of the Secretary of the Interior without a transfer of funds.

Purchase, terms and conditions.

(b) Any former Indian or non-Indian owner of a tract of such land, whether title was held in trust or fee, may purchase such tract from the Secretary of the Interior under the following terms and conditions:

(1) The purchase price to a former Indian owner shall be the total amount paid by the United States to acquire such tract and all interests therein, plus interest thereon from the date of acquisition at a rate determined by the Secretary of the Treasury taking into consideration the average market yield of all outstanding marketable obligations of the United States at the time the tract was acquired by the United States, adjusted to the nearest one-eighth of 1 per centum. The purchase price to a former non-Indian owner shall be the present fair market value of the tract as determined by the Secretary of the Interior.

(2) Not less than $100 or 20 per centum of the purchase price, whichever is less, shall be paid at the time of purchase, and the balance shall be payable in not to exceed 20 years with interest at a rate determined by the Secretary of the Treasury taking into account the current average market yield on outstanding marketable obligations of the United States with twenty years remaining to date of maturity, adjusted to the nearest one-eighth of 1 per centum.

(3) Title to the tract purchased shall be held in trust for the purchaser if it was held in trust status at the time the tract was acquired by the United States; otherwise, the title to the tract

purchased shall be conveyed to the purchaser subject to a mortgage and such other security instruments as the Secretary deems appropriate. If a tract purchased under this subsection is offered for resale during the following ten-year period, the tribe must be given the first right to purchase it.

(4) The unpaid balance of the purchase price shall be a lien against the land if the title is held in trust and against all rents, bonuses, and royalties received therefrom. In the event of default in the payment of any installment of the purchase price the Secretary may take such action to enforce the lien as he deems appropriate, including foreclosure and conveyance of the land to the Oglala Sioux Tribe.

Publication in Federal Register

(5) An application to purchase the tract must be filed with the Secretary of the Interior within one year from the date a notice is published in the Federal Register that the tract has been transferred to the jurisdiction of the Secretary.

(6) No application may be filed by more than five of the former owners of an interest in the tract. If more than one such application is filed for a tract the applicants must agree on not more than five of the former owners who shall make the purchase, and failing such agreement all such applications for the tract shall be rejected by the Secretary.

"Former owner."

(7) "Former owner" means, for the purposes of subsection (b) of this section, each person from whom the United States acquired an interest in the tract, or if such person is deceased, his spouse, or if such spouse is deceased, his children.

Lands within the Badlands Air Force gunnery range.

SEC. 4. (a) All Federal lands and interests in lands within the Badlands Air Force gunnery range that are outside the boundaries of the monument, and that have been declared excess to the needs of ⊥the Department of the Air Force, and that are not purchased by former owners under section 3 (b), and all lands that have been acquired by the United States under authority of title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), and subsequent relief Acts, situated within the Pine Ridge Indian Reservation, administrative jurisdiction over which has heretofore been transferred by the President from the Secretary of Agriculture to the Secretary of the Interior by Executive Order Numbered 7868, dated April 15, 1938, shall be subject to the following provisions of this section.

⊥1665

3 F. R. 903.

(b) Any former Indian owner of land that is within the Badlands Air Force gunnery range and outside the boundaries of the monument and that has not been declared excess to the needs of the Department of the Air Force on the date of the enactment of this Act may, within the period specified in section 3 (b) (5), elect (i) to purchase an available tract of land described in section 4 (a) of substantially the same value, or (ii) to purchase the tract formerly owned by him at such time as such tract is declared excess and transferred to the Secretary of the Interior as provided in section 3 (a).

(c) Any former Indian owner of a tract of land within the boundaries of the monument that was acquired by the United States for the Badlands Air Force gunnery range, and that is transferred to the Secretary of the Interior pursuant to section 2 of this Act, may, within the period specified in section 3 (b) (5), elect (i) to acquire from the Secretary of the Interior a life estate in such tract at no cost, subject to restrictions on use that may be prescribed in regulations applicable to the monument, or (ii) to purchase an available tract of land described in section 4 (a) of substantially the same value.

(d) Purchases under subsection (b) and clause (ii) of subsection (c) of this section shall be made on the terms provided in section 3 (b).

Lands outside the Badlands Air Force gunnery range.

SEC. 5. (a) Title to all Federal lands and interests in lands within the boundaries of the Badlands Air Force gunnery range that are outside

the boundaries of the monument, and that are transferred to the administrative jurisdiction of the Secretary of the Interior as provided in section 3 (a), including lands hereafter declared to be excess, and that are not selected under sections 3 (b) or 4, and title to all lands within the boundaries of the monument that were acquired by the United States for the Badlands Air Force gunnery range, subject to any life estate conveyed pursuant to section 4 (c) and subject to restrictions on use that may be prescribed in regulations applicable to the monument, which regulations may include provisions for the protection of the black-footed ferret, may be conveyed to the Oglala Sioux Tribe in exchange (i) for the right of the United States to use all tribal land within the monument for monument purposes, including the right to manage fish and wildlife and other resources and to construct visitor use and administrative facilities thereon, and (ii) for title to three thousand one hundred fifteen and sixty-three one-hundredths acres of land owned by the Oglala Sioux Tribe and located in the area of the Badlands Air Force gunnery range which is not excess to the needs of the Department of the Air Force and which is encompassed in civil action numbered 859 W.D. in the United States District Court for the District of South Dakota, if such exchange is approved by the Oglala Sioux Tribal Council. The lands acquired under paragraph (ii) shall become a part of the Badlands Air Force gunnery range retained by the Department of the Air Force. The United States and the Oglala Sioux Tribe shall reserve all mineral rights in the lands so conveyed. The right of the United States to use for monument purposes lands that were tribally owned prior to the date of this Act shall not impair the right of the Oglala Sioux Tribe to use such lands for grazing purposes and mineral development, including development for oil and gas.

Mineral rights

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(b) The Oglala Sioux Tribal Council may authorize the execution of the necessary instruments to effect the exchange on behalf of the tribe, and the Secretary may execute the necessary instruments on behalf of the United States.

(c) After the exchange is effected the title of the Oglala Sioux Tribe to the property acquired by the exchange shall be held in trust subject to the same restrictions and authorities that apply to other lands of the tribe that are held in trust.

Oglala Sioux Tribe, land conveyance

SEC. 6. The Oglala Sioux Tribe may convey and the Secretary of the Interior may acquire not to exceed forty acres of tribally owned lands on the Pine Ridge Indian Reservation for the purpose of erecting thereon permanent facilities to be used to interpret the natural phenomena of the monument and the history of the Sioux Nation: *Provided*, That no such conveyance shall be made until sixty days after the terms thereof have been submitted to the Interior and Insular Affairs Committees of the House of Representatives and the Senate.

Approved, August 8, 1968.

PUBLIC LAW 90-476

August 11, 1968
[H. R. 16086]
82 Stat. 703

AN ACT

To amend the Act of August 25, 1959 (73 Stat. 420), pertaining to the affairs of the Choctaw Tribe of Oklahoma.

Choctaw Indians.
Property disposition
73 Stat. 432
25 U. S. C. 355 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 25, 1959 (73 Stat. 420), as amended, is further amended as follows: the words "nine years", which appear twice in section 1 (a), once in section 1 (d), once in section 11, once in section 12 (a), and once in section 12 (b), are changed to "eleven years".

Approved, August 11, 1968.

PUBLIC LAW 90-495

AN ACT

August 23, 1968
[S. 3118]
82 Stat. 815

To authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Federal Aid Highway Act of 1968.

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1968".

* * *

⊥AUTHORIZATIONS ⊥816

SEC. 5. For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

* * *

⊥(9) For Indian reservation roads and bridges, $30,000,000 for the ⊥817 fiscal year ending June 30, 1970, and $30,000,000 for the fiscal year ending June 30, 1971.

* * *

⊥FEDERAL SHARE ⊥835

SEC. 34. Section 120 (a) of title 23, United States Code, is hereby amended to read as follows: 72 Stat. 898.

"(a) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project, financed with primary, secondary, or urban funds, on the Federal-aid primary system and the Federal-aid secondary system shall either (A) not exceed 50 per centum of the cost of construction, except that in the case of any State containing nontaxable Indian lands, individual and tribal, and public domain lands (both reserved and unreserved) exclusive of national forests and national parks and monuments, exceeding 5 per centum of the total area of all lands therein, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State, is of its total area, or (B) not exceed 50 per centum of the cost of construction, except that in the case of any State containing nontaxable Indian lands, individual and tribal, public domain lands (both reserved and unreserved), national ⊥forests, and national parks and monuments, ⊥836 the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State is of its total area, except that the Federal share payable on any project in a State shall not exceed 95 per centum of the total cost of any such project. In any case where a State elects to have the Federal share provided in clause (B) of this subsection, the State must enter into an agreement with the Secretary covering a period of not less than one year, requiring such State to use solely for highway construction purposes (other than paying its share of projects approved under this title) during the period covered by such agreement the difference between the State's share as provided in clause (B) and what its share would be if it elected to pay the share provided in clause (A) for all projects subject to such agreement."

* * *

Approved, August 23, 1968.

PUBLIC LAW 90-504

September 21, 1968
[H. R. 14205]

82 Stat. 855

AN ACT

To provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket numbered 21, and for other pruposes.

Indians, Creek Nation.
Judgment funds, disposition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements: (a) they were born on or prior to and were living on the date of this Act; (b) their names or the names of lineal ancestors appear on any of the documents identified herein or on any available census rolls or other records acceptable to the Secretary, which identify the person as a Creek Indian, including ancient documents or records of the United States located in the National Archives, State or county records in the archives of the several States or counties therein or in the courthouses thereof, and other records that would be admissible as evidence in an action to determine Indian lineage;

(1) The Final Rolls of Creeks by Blood which were closed as of March 4, 1907;

(2) Claims of Friendly Creeks paid under the Act of March 3, 1817 (H.R. Doc. 200, 20:1, 1828);

6 Stat. 191.

(3) Census of the Creek Nation, 1833, made pursuant to article 2 of the treaty concluded March 24, 1832 (Senate Doc. 512, 1835, Emigration Correspondence, 1831–1833, pages 239–395);

7 Stat. 366.

(4) Land Location Registers of Creek Indian Lands, made pursuant to the Treaty of March 24, 1832;

(5) Any emigration or muster rolls of Creek Indians;

(6) Any lists of self-emigrant Creek claimants (including those contained in Senate Ex. Doc. 198, 50:1, 1888, and H.R. Ex. Doc. 238, 51:2, 1891).

Applications for enrollment must be filed with the Area Director of the Bureau of Indian Affairs, Muskogee, Oklahoma, in the manner and within the time limits prescribed for that purpose. The determination of the Secretary regarding the eligibility of an applicant shall be final.

Eligibility.

SEC. 2. After the deduction of attorney fees, litigation expenses, the costs of distribution, and the cost of preparing the roll pursuant to section 1 of this Act, the funds, including interest, remaining to the credit of the Creek Nation as constituted August 9, 1814, which were appropriated by the Act of April 30, 1965, to pay a judgment obtained in Indian Claims Commission docket numbered 21, shall be distributed on a per capita basis to all persons whose names appear on the roll. The funds so distributed shall not be subject to Federal or State income taxes.

79 Stat. 81.

Tax exemption.

Equitable shares.
Heirs of deceased enrollees.

SEC. 3. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee or in such manner as is deemed by the Secretary to be in the enrollee's best interest, and he shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under legal disability shall be paid to the persons who the Secretary determines will best protect their interests.

Filing deadlines, etc.

SEC. 4. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act, including establishing an appropriate deadline for filing applications.

Approved, September 21, 1968.

PUBLIC LAW 90-506

AN ACT

September 21, 1968
[H. R. 16211]
82 Stat. 859

To provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket numbered 276, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior shall prepare a roll of the Creek Indians who meet the following requirements: (1) they were born on or prior to and living on the date of this Act, and (2) their names or the names of lineal ancestors through whom eligibility is claimed appear on either the 1857 or 1859 payment roll prepared pursuant to Article VI of the Treaty of August 7, 1856 (11 Stat. 699), or on the Final Roll of Creeks by Blood closed as of March 4, 1907, pursuant to statute.

Indians, Creek Nation.
Judgment funds, disposition.

(b) Applications for enrollment shall be filed with the Area Director, Bureau of Indian Affairs, Muskogee, Oklahoma, in the manner, within the time limit, and on the form prescribed for that purpose. The determination of the Secretary of the eligibility for enrollment of an applicant shall be final.

Eligibility

SEC. 2. All costs incident to carrying out the provisions of this Act shall be paid by appropriate withdrawals from the judgment funds referred to in this section. After deducting attorney fees and all other costs, the remainder of the funds, including interest, to the credit of the Creek Nation appropriated by the Act of October 27, 1966 (80 Stat. 1057), shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 1 of this Act. The funds so distributed shall not be subject to Federal or State income taxes.

Equal shares

Tax exemption

SEC. 3. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee or in such manner as is deemed by the Secretary to be in the enrollee's best interest and the per capita share of a deceased enrollee shall be paid to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under legal disability shall be paid to the persons whom the Secretary of the Interior determines will best protect their interests.

Heirs of deceased enrollees.

SEC. 4. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act, including an appropriation deadline for filing applications for enrollment.

Filing deadline, etc.

Approved, September 21, 1968.

PUBLIC LAW 90-507

AN ACT

September 21, 1968
[H. R. 10911]
82 Stat. 860

To provide for preparation of a roll of persons of California Indian descent and the distribution of certain judgment funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior shall prepare a roll of persons of Indian blood who apply for inclusion thereon and (i) whose names or the names of a lineal or collateral relative appears on any of the approved rolls heretofore prepared pursuant to the Act of May 18, 1928 (45 Stat. 602) and the amendments thereto or (ii) who can establish, to the satisfaction of the Secretary, lineal or collateral relationship to an Indian who resided in California on June 1, 1852, and (iii) who were born on or before and were living on the effective date of this Act.

Indians of California descent.
Judgment funds, distribution.

25 U. S. C. 651-657

(b) The roll so prepared shall indicate, as nearly as possible, the group or groups of Indians of California with which the ancestors of each enrollee were affiliated on June 1, 1852. If the affiliation of an

enrollee's ancestors on that date is unknown, it shall be presumed to be the same as that of the ancestors' relatives whose affiliation is known unless there is sound reason to believe otherwise. Applicants whose ancestry is derived partly from one of the groups named in section 2 (b) of this Act and partly from another group of Indians in California shall elect the affiliation to be shown for them on the roll.

(c) Application for enrollment shall be filed with the Area Director of the Bureau of Indian Affairs, Sacramento, California, on forms prescribed for that purpose.

Equal shares.

SEC. 2. (a) The Secretary shall distribute to each person whose name appears on the roll prepared pursuant to the first section of this Act, except those whose ancestry is derived from one or more of the groups named in subsection (b) of this section, an equal share of the moneys which were appropriated by the Act of October 7, 1964 (78 Stat. 1033), in satisfaction of the judgment of the Indian Claims Commission in consolidated dockets numbered 31, 37, 80, 80–D, and 347, plus the interest earned thereon, minus attorneys fees, litigation expenses (including the reimbursement of funds expended under authority of the Acts of July 1, 1946 (60 Stat. 348), August 4, 1955 (69 Stat. 460), and July 14, 1960 (74 Stat. 512)), a proper share of the costs of roll preparation, and such amounts as may be required to effect the distribution.

Exempted groups.

(b) Persons whose ancestry is derived solely from one or more of the following groups and persons of mixed ancestry who elected to share, other than as heirs or legatees of enrollees, in any award granted to any of the following groups shall not share in the funds distributed pursuant to subsection (a) of this section: Northern Paiute, Southern Paiute, Mohave, Quechan (Yuma), Chemehuevi, Shoshone, Washoe, Klamath, Modoc, and Yahooskin Band of Snakes.

Equal shares.

SEC. 3. The Secretary shall distribute to each person whose name appears on the roll prepared pursuant to section 1 of this Act regardless of group affiliation an equal share of the undistributed balance of the moneys appropriated in satisfaction of the judgment of the Court of Claims in the case of The Indians of California against United States (102 Court of Claims 837; 59 Stat. 94), plus the interest earned thereon, including the reimbursed moneys and unexpended balances of the funds established by the Acts of July 1, 1946 (60 Stat. 348), August 4, 1955 (69 Stat. 460), and July 14, 1960 (74 Stat. 512), minus a proper share of the costs of roll preparation and such amounts as may be necessary to effect the distribution.

[1861
Equal shares.
Heirs of deceased enrollees.

[SEC. 4. Each share distributable to an enrollee under sections 2 and 3 of this Act shall be paid directly to the enrollee or, if he is deceased at the time of distribution, to his heirs or legatees unless the distributee is under twenty-one years of age or is otherwise under legal disability, in which case such disposition shall be made of the share as the Secretary determines will adequately protect the best interests of the distributee.]Funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

Tax exemption.

Filing deadline, etc.

SEC. 5. The Secretary is authorized to prescribe rules and regulations to carry out the provisions of this Act, which rules and regulations shall include an appropriate deadline for the filing of applications for enrollment under the first section of this Act. The determinations of the Secretary regarding eligibility for enrollment, the affiliation of an applicant's ancestors, and the shares of the cost of roll preparation to be charged to each of the two funds referred to in sections 2 and 3 of this Act shall be final. Not more than $325,000 in all shall be available under this Act for the costs of roll preparation and of the distribution of shares.

Eligibility.

Approved, September 21, 1968.

PUBLIC LAW 90-508

AN ACT

September 21, 1968
[H. R. 16402]
82 Stat. 861

To provide for the disposition of funds appropriated to pay a judgment in favor of the Delaware Nation of Indians in Indian Claims Commission docket numbered 337, and for other purposes.

Indians, Delaware Nation
Judgment funds, disposition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements for eligibility: (a) They were born on or prior to and living on the date of this Act; (b) their name or the name of a lineal ancestor appears on the Delaware Indian per capita payroll approved by the Secretary on April 20, 1906, or (c) their name or the name of a lineal ancestor is on or is eligible to be on the constructed base census roll as of 1940 of the Absentee Delaware Tribe of Western Oklahoma, approved by the Secretary of the Interior, or (d) they are lineal descendants of Delaware Indians who were members of the Delaware Nation of Indians as constituted at the time of the Treaty of October 3, 1818 (7 Stat. 188), and their name or the name of a lineal ancestor appears on any available census roll or any other records acceptable to the Secretary. No person shall be eligible to be enrolled under this section who is not a citizen of the United States. Applications for enrollment must be filed with the Area Director of the Bureau of Indian Affairs, Muskogee, Oklahoma, or the Area Director of the Bureau of Indian Affairs, Anadarko, Oklahoma, on forms prescribed for that purpose. All applications filed shall be reviewed and a judgment of the eligibility of each applicant will be made and recommendation given in writing to the respective area directors by a committee composed of representatives of the two Oklahoma Delaware groups prior to submission of names to the Secretary of the Interior for acceptance on the distribution roll. The determination of the Secretary regarding the utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

Eligibility.

SEC. 2. There shall be withdrawn from the funds on deposit in the Treasury of the United States to the credit of the Delaware Nation that were appropriated by the Act of October 7, 1964 (78 Stat. 1033), and ⊥the interest accrued thereon, using the interest fund first, $7,000, which shall be divided equally between the Cherokee Delawares and the Delaware Tribe of Indians of Western Oklahoma, and shall be available for claims expenses incurred by the duly authorized personnel of the two tribal groups, as set forth in their joint resolution numbered 4-68 adopted on September 9, 1967.

⊥862

SEC. 3. After the deduction of attorney fees and expenses, litigation expenses, all costs incident to the provisions of this Act, and to making the payments authorized by this Act, including the cost of roll preparation, which shall be paid by appropriate withdrawals from the judgment fund, the unexpended balance of the funds on deposit in the Treasury shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 1 of this Act. No person shall be entitled to more than one per capita share of the funds.

Equal shares

Limitation.

SEC. 4. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee. The Secretary shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures as the Secretary determines will best protect their interests.

Heirs of deceased enrollees.

SEC. 5. The funds distributed under the provisions of this Act shall not be subject to Federal or State income tax.

Tax exemption

Filing deadline, etc.

SEC. 6. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act, including a deadline for filing enrollment applications.

Approved, September 21, 1968.

September 28, 1968
[S. 3728]
82 Stat. 880

PUBLIC LAW 90-527

AN ACT

To authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes.

Indians, Kiowa, Comanche, and Apache Tribes.
Judgment funds, disposition.
Ante, p. 239.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the funds on deposit in the Treasury of the United States to the credit of the Kiowa, Comanche, and Apache Tribes that were appropriated by the Act of June 19, 1968 (Public Law 90-352), to pay a judgment by the Indian Claims Commission entered in dockets numbered 258 and 259, and the interest thereon, after deducting attorney fees and litigation expenses, shall be distributed by the Secretary of the Interior per capita to the persons whose names appear on a roll approved by the Tribes on May 20, 1960, as the basis for distributing a prior Indian Claims Commission judgment, after such roll has been brought current by said tribes, with the technical assistance of the Secretary, (1) by adding the names of children of enrollees who were born on or prior to and were living on the date of this Act, (2) by adding the names of persons who were eligible for enrollment on the May 20, 1960 roll, but were not enrolled, and their children, if they were living on the date of this Act, and (3) by deleting the names of persons who were deceased on the date of this Act.

(b) The Kiowa, Comanche, and Apache Tribes or their authorized representatives shall prescribe a date by which evidence of eligibility for enrollment must be submitted.

(c) The cost of bringing such roll current, and the cost of making the per capita distribution, shall be paid by appropriate withdrawals from funds on deposit in the United States Treasury to the credit of said tribes in such amounts as the tribes and the Secretary may approve, and not out of said judgment and interest thereon.

(d) On approval of the roll by the Secretary, payment shall be made directly to each enrollee, or his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary, whose findings shall be final and conclusive, except that a share or interest therein payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with such procedure as the Secretary, with the advice of the tribes, determines appropriate to protect his best interests.

Tax exemption.

(e) Funds distributed per capita pursuant to this Act shall not be subject to Federal or State income taxes.

Approved, September 28, 1968.

September 28, 1968
[S. 3620]
82 Stat. 881

PUBLIC LAW 90-529

AN ACT

To provide for the disposition of judgment funds on deposit to the credit of the Quechan Tribe of the Fort Yuma Reservation, California, in Indian Claims Commission docket numbered 319, and for other purposes.

Indians—Quechan Tribe.
Judgment funds, disposition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Quechan Tribe of Indians that were appropriated by the Act of October 31, 1965 (79 Stat. 1152), to pay a judgment granted by the Indian Claims Commission in docket numbered 319, and the interest thereon, less payment of attorney fees and expenses, may be

advanced, expended, invested, or reinvested for any purpose that is authorized by the Quechan Tribal Council and approved by the Secretary of the Interior.

SEC. 2. Any part of such funds that may be distributed to the members of the tribe shall not be subject to Federal or State income tax. Tax exemption.

SEC. 3. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act. Rules and regulations.

Approved, September 28, 1968.

PUBLIC LAW 90-530

AN ACT

September 28, 1968
[S. 3621]
82 Stat. 882

To provide for the disposition of funds appropriated to pay a judgment in favor of the Muckleshoot Tribe of Indians in Indian Claims Commission docket numbered 98, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Muckleshoot Tribe of Indians that were appropriated by the Act of May 29, 1967 (81 Stat. 30, 42), to pay a judgment by the Indian Claims Commission in docket numbered 98, and the interest thereon, less attorneys' fees and expenses, may be advanced, expended, invested, or reinvested for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed to the individual members of the tribe shall not be subject to Federal or State income taxes. Indians, Muckleshoot Tribe. Judgment fund, disposition. Tax exemption.

SEC. 2. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act. Rules and regulations.

Approved, September 28, 1968.

PUBLIC LAW 90-531

AN ACT

September 28, 1968
[S. 3420]
82 Stat. 882

To authorize a per capita distribution of $550 from funds arising from a judgment in favor of the Confederated Tribes of the Colville Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds which have been or may be deposited in the Treasury of the United States to pay a judgment of the Indian Claims Commission dated September 7, 1967, in dockets numbered 181-A and 181-B, and the interest on said funds, after payment of attorney fees and expenses, shall be credited to the account of the Confederated Tribes of the Colville Reservation and the Secretary of the Interior is authorized and directed to make a per capita distribution from such funds of a sum no more than $550, to the extent that such funds are available, to each person born on or prior to and living on the date of this Act who meets the requirements for membership in the Confederated Tribes of the Colville Reservation. The balance of such funds, and the interest thereon, shall be combined and distributed with any other tribal funds that may hereafter become available for per capita distribution. Indians, Confederated Tribes of the Colville Reservation. Judgment funds, distribution.

SEC. 2. Sums payable to persons or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedure as the Secretary, after consultation with the tribal governing body, determines will adequately protect their best interests.

SEC. 3. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes. Tax exemptions.

SEC. 4. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, September 28, 1968.

PUBLIC LAW 90-533

September 28, 1968
[S. 2715]
82 Stat. 883

AN ACT

To provide for the disposition of funds appropriated to pay a judgment in favor of the Chickasaw Nation or Tribe of Oklahoma, and for other purposes.

Chickasaw Indians, Okla.
Judgment funds, disposition.
75 Stat. 40

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States that were appropriated by the Act of March 31, 1961, to pay a judgment by the Indian Claims Commission in docket numbered 269 and any interest thereon, less payment of attorney fees and expenses, and any other funds heretofore or hereafter deposited in the United States Treasury to the credit of the Chickasaw Nation or Tribe of Oklahoma from sources other than claims may be used, advanced, expended, deposited, invested, or reinvested for any purpose that is authorized by the Governor of the Chickasaw Nation and approved by the Secretary of the Interior.

Approved, September 28, 1968.

PUBLIC LAW 90-534

September 28, 1968
[S. 3182]
82 Stat. 884

AN ACT

To authorize the purchase, sale, exchange, mortgage, and long-term leasing of land by the Swinomish Indian Tribal Community, and for other purposes.

Swinomish Indian Tribal Community
Trust lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to purchase with funds made available by the Swinomish Indian Tribal Community any land or interest in land within, adjacent to, or in close proximity to the boundaries of the Swinomish Indian Reservation.

SEC. 2. Any land or interest in land now owned or hereafter acquired by or in trust for the Swinomish Indian Tribal Community may be sold or exchanged for other land or interest in land within, adjacent to, or in close proximity to the boundaries of the Swinomish Indian Reservation, and the land values involved in an exchange must be equal or be equalized by the payment of money.

Tax exemption.

SEC. 3. Title to any land acquired pursuant to this Act shall be taken in the name of the United States in trust for the Swinomish Indian Tribal Community and shall be nontaxable if the land is within the boundaries of the Swinomish Indian Reservation, and title shall be taken in the name of the Community subject to no restrictions on alienation, taxation, management, or use if the land is outside such boundaries.

Mortgages, deeds, etc.

SEC. 4. The Swinomish Indian Tribal Community may, with the approval of the Secretary of the Interior, execute mortgages or deeds of trust to land the title to which is held by the community, or by the United States in trust for the community. Such land shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of the State of Washington. The United States shall be an indispensable party to, and may be joined in, any such proceeding involving trust land with the right to remove the action to the United States district court for the district in which the land is situated, according to the procedure in section 1446 of title 28, United States Code, and the United States shall have the right to appeal from any order of remand entered in such action.

62 Stat. 939, 63 Stat. 101, 79 Stat. 887.
Moneys or credits.

SEC. 5. Any moneys or credits received or credited to the Swinomish Indian Tribal Community from the sale, exchange, mortgage, or granting of any security interest in any tribal land may be used for tribal purposes.

SEC. 6. The second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U. S. C. 415), is hereby further amended

by inserting the words "the Swinomish Indian Reservation," after the words "Dania Reservation,".

SEC. 7. The Swinomish Indian Tribal Community may assign any income due it, subject to approval of the Secretary of the Interior. Such approval may be given in general terms or may be limited to specified assignments.

Approved, September 28, 1968.

PUBLIC LAW 90-537

AN ACT

September 30, 1968
[S. 1004]
82 Stat. 885

To authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—COLORADO RIVER BASIN PROJECT: OBJECTIVES

Colorado River Basin Project Act

SEC. 101. That this Act may be cited as the "Colorado River Basin Project Act".

1886

SEC. 102. (a) It is the object of this Act to provide a program for the further comprehensive development of the water resources of the Colorado River Basin and for the provision of additional and adequate water supplies for use in the upper as well as in the lower Colorado River Basin. This program is declared to be for the purposes, among others, of regulating the flow of the Colorado River; controlling floods; improving navigation; providing for the storage and delivery of the waters of the Colorado River for reclamation of lands, including supplemental water supplies, and for municipal, industrial, and other beneficial purposes; improving water quality; providing for basic public outdoor recreation facilities; improving conditions for fish and wildlife, and the generation and sale of electrical power as an incident of the foregoing purposes.

(b) It is the policy of the Congress that the Secretary of the Interior (hereinafter referred to as the "Secretary") shall continue to develop, after consultation with affected States and appropriate Federal agencies, a regional water plan, consistent with the provisions of this Act and with future authorizations, to serve as the framework under which projects in the Colorado River Basin may be coordinated and constructed with proper timing to the end that an adequate supply of water may be made available for such projects, whether heretofore, herein, or hereafter authorized.

* * *

TITLE III—AUTHORIZED UNITS: PROTECTION OF EXISTING USES

1887

SEC. 301. (a) For the purposes of furnishing irrigation water and municipal water supplies to the water-deficient areas of Arizona and western New Mexico through direct diversion or exchange of water, control of floods, conservation and development of fish and wildlife resources, enhancement of recreation opportunities, and for other purposes, the Secretary shall construct, operate, and maintain the Central Arizona Project, consisting of the following principal works: (1) a system of main conduits and canals, including a main canal and pumping plants (Granite Reef aqueduct and pumping plants), for diverting and carrying water from Lake Havasu to Orme Dam or suitable alternative, which system may have a capacity of 3,000 cubic feet per second or whatever lesser capacity is found to be feasible: *Provided*, That any capacity in the Granite Reef aqueduct in excess of 2,500 cubic feet per second shall be utilized for the conveyance of Colorado River water only when Lake Powell is full or releases of

1888 water are made from Lake ⊥Powell to prevent the reservoir from exceeding elevation 3,700 feet above mean sea level or when releases are made pursuant to the proviso in section 602 (a) (3) of this Act: *Provided further*, That the costs of providing any capacity in excess of 2,500 cubic feet per second shall be repaid by those funds available to Arizona pursuant to the provision of subsection 403 (f) of this Act, or by funds from sources other than the development fund; (2) Orme Dam and Reservoir and power-pumping plant or suitable alternative; (3) Buttes Dam and Reservoir, which shall be so operated as not to prejudice the rights of any user in and to the waters of Gila River as those rights are set forth in the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Numbered 59); (4) Hooker Dam and Reservoir or suitable alternative, which shall be constructed in such a manner as to give effect to the provisions of subsection (f) of section 304; (5) Charleston Dam and Reservoir; (6) Tucson aqueducts and pumping plants; (7) Salt-Gila aqueducts; (8) related canals, regulating facilities, hydroelectric power-plants, and electrical transmission facilities required for the operation of said principal works; (9) related water distribution and drainage works; and (10) appurtenant works.

(b) Article II (B) (3) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340) shall be so administered that in any year in which, as determined by the Secretary, there is insufficient main stream Colorado River water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada, diversions from the main stream for the Central Arizona Project shall be so limited as to assure the availability of water in quantities sufficient to provide for the aggregate annual consumptive use by holders of present perfected rights, by other users in the State of California served under existing contracts with the United States by diversion works heretofore constructed, and by other existing Federal reservations in that State, of four million four hundred thousand acre-feet of mainstream water, and by users of the same character in Arizona and Nevada. Water users in the State of Nevada shall not be required to bear shortages in any proportion greater than would have been imposed in the absence of this subsection 301 (b). This subsection shall not affect the relative priorities, among themselves, of water users in Arizona, Nevada, and California which are senior to diversions for the Central Arizona Project, or amend any provisions of said decree.

(c) The limitation stated in subsection (b) of this section shall not apply so long as the Secretary shall determine and proclaim that means are available and in operation which augment the water supply of the Colorado River system in such quantity as to make sufficient mainstream water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada.

SEC. 302. (a) The Secretary shall designate the lands of the Salt River Pima-Maricopa Indian Community, Arizona, and the Fort McDowell-Apache [sic] Indian Community, Arizona, or interests therein, and any allotted lands or interests therein within said communities which he determines are necessary for use and occupancy by the United States for the construction, operation, and maintenance of Orme Dam and Reservoir, or alternative. The Secretary shall offer to pay the fair market value of the lands and interests designated, inclusive of improvements. In addition, the Secretary shall offer to pay toward the cost of relocating or replacing such improvements not to exceed $500,000 in the aggregate, and the amount offered for the actual relocation or replacement of a residence shall not exceed the difference between the fair market value of the residence and $8,000.

Each community and ⊥each affected allottee shall have six months in ⊥889
which to accept or reject the Secretary's offer. If the Secretary's offer is rejected, the United States may proceed to acquire the property interests involved through eminent domain proceedings in the United States District Court for the District of Arizona under 40 U. S. C., sections 257 and 258a. Upon acceptance in writing of the Secretary's offer, or upon the filing of a declaration of taking in eminent domain proceedings, title to the lands or interests involved, and the right to possession thereof, shall vest in the United States. Upon a determination by the Secretary that all or any part of such lands or interests are no longer necessary for the purpose for which acquired, title to such lands or interests shall be restored to the appropriate community upon repayment to the Federal Government of the amounts paid by it for such lands.

(b) Title to any land or easement acquired pursuant to this section shall be subject to the right of the former owner to use or lease the land for purposes not inconsistent with the construction, operation, and maintenance of the project, as determined by, and under terms and conditions prescribed by, the Secretary. Such right shall include the right to extract and dispose of minerals. The determination of fair market value under subsection (a) shall reflect the right to extract and dispose of minerals and all other uses permitted by this section.

(c) In view of the fact that a substantial portion of the lands of the Fort McDowell Mohave-Apache Indian Community will be required for Orme Dam and Reservoir, or alternative, the Secretary shall, in addition to the compensation provided for in subsection (a) of this section, designate and add to the Fort McDowell Indian Reservation twenty-five hundred acres of suitable lands in the vicinity of the reservation that are under the jurisdiction of the Department of the Interior in township 4 north, range 7 east; township 5 north, range 7 east; and township 3 north, range 7 east, Gila and Salt River base meridian, Arizona. Title to lands so added to the reservation shall be held by the United States in trust for the Fort McDowell Mohave-Apache Indian Community.

(d) Each community shall have a right, in accordance with plans approved by the Secretary, to develop and operate recreational facilities along the part of the shoreline of the Orme Reservoir located on or adjacent to its reservation, including land added to the Fort McDowell Reservation as provided in subsection (b) of this section, subject to rules and regulations prescribed by the Secretary governing the recreation development of the reservoir. Recreation development of the entire reservoir and federally owned lands under the jurisdiction of the Secretary adjacent thereto shall be in accordance with a master recreation plan approved by the Secretary. The members of each community shall have nonexclusive personal rights to hunt and fish on or in the reservoir without charge to the same extent they are now authorized to hunt and fish, but no community shall have the right to exclude others from the reservoir except by control of access through its reservation or any right to require payment by members of the public except for the use of community lands or facilities.

(e) All funds paid pursuant to this section, and any per capita distribution thereof, shall be exempt from all forms of State and Federal income taxes.

* * *

⊥SEC. 304. (a) Unless and until otherwise provided by Congress, ⊥891
water from the Central Arizona Project shall not be made available directly or indirectly for the irrigation of lands not having a recent irrigation history as determined by the Secretary, except in the case of Indian lands, national wildlife refuges, and, with the approval of the Secretary, State-administered wildlife management areas.

Water supply, repayment contracts.

(b) (1) Irrigation and municipal and industrial water supply under the Central Arizona Project within the State of Arizona may, in the event the Secretary determines that it is necessary to effect repayment, be pursuant to master contracts with organizations which have power to levy assessments against all taxable real property within their boundaries. The terms and conditions of contracts or other arrangements whereby each such organization makes water from the Central Arizona Project available to users within its boundaries shall be subject to the Secretary's approval, and the United States shall, if the Secretary determines such action is desirable to facilitate carrying out the provisions of this Act, have the right to require that it be a party to such contracts or that contracts subsidiary to the master contracts be entered into between the United States and any user. The provisions of this clause (1) shall not apply to the supplying of water to an Indian tribe for use within the boundaries of an Indian reservation.

* * *

1893
Central Arizona project, appropriation.

⊥SEC. 309. (a) There is hereby authorized to be appropriated for construction of the Central Arizona Project, including prepayment for power generation and transmission facilities but exclusive of distribution and drainage facilities for non-Indian lands, $832,180,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein and, in addition thereto, such sums as may be required for operation and maintenance of the project.

1894
Non-Indian lands facilities, appropriation.

⊥(b) There is also authorized to be appropriated $100,000,000 for construction of distribution and drainage facilities for non-Indian lands. Notwithstanding the provisions of section 403 of this Act, neither appropriations made pursuant to the authorization contained in this subsection (b) nor revenues collected in connection with the operation of such facilities shall be credited to the Lower Colorado River Basin Development Fund and payments shall not be made from that fund to the general fund of the Treasury to return any part of the costs of construction, operation, and maintenance of such facilities.

TITLE IV—LOWER COLORADO RIVER BASIN DEVELOPMENT FUND: ALLOCATION AND REPAYMENT OF COSTS: CONTRACTS

* * *

Indian lands, repayment capability.

SEC. 402. The Secretary shall determine the repayment capability of Indian lands within, under, or served by any unit of the project. Construction costs allocated to irrigation of Indian lands (including provision of water for incidental domestic and stock water uses) and within the repayment capability of such lands shall be subject to the Act of July 1, 1932 (47 Stat. 564; 25 U. S. C. 386a), and such costs that are beyond repayment capability of such lands shall be nonreimbursable.

* * *

1896

⊥TITLE V—UPPER COLORADO RIVER BASIN: AUTHORIZATIONS AND REIMBURSEMENTS

SEC. 501. (a) In order to provide for the construction, operation, and maintenance of the Animas-La Plata Federal reclamation project, Colorado-New Mexico; the Dolores, Dallas Creek, West Divide, and San Miguel Federal reclamation projects, Colorado; and the Central Utah project (Uintah unit), Utah, as participating projects under the Colorado River Storage Project Act (70 Stat. 105; 43 U. S. C. 620), and to provide for the completion of planning reports on other participating projects, clause (2) of section 1 of said Act is hereby further amended

by (i) inserting the words "and the Uintah unit" after the ⊥word "phase" within the parenthesis following "Central Utah", (ii) deleting the words "Pine River Extension" and inserting in lieu thereof the words "Animas-La Plata, Dolores, Dallas Creek, West Divide, San Miguel", (iii) adding after the words "Smith Fork:" the proviso "*Provided,* That construction of the Uintah unit of the Central Utah project shall not be undertaken by the Secretary until he has completed a feasibility report on such unit and submitted such report to the Congress along with his certification that, in his judgment, the unit is physically and financially feasible, and the Congress has authorized the appropriation of funds for the construction thereof:". Section 2 of said Act is hereby further amended by (i) deleting the words "Parshall, Troublesome, Rabbit Ear, San Miguel, West Divide, Tomichi Creek, East River, Ohio Creek, Dallas Creek, Dolores, Fruit Growers Extension, Animas-La Plata", and inserting after the words "Yellow Jacket" the words "Basalt Middle Park (including the Troublesome, Rabbit Ear, and Azure units), Upper Gunnison (including the East River, Ohio Creek, and Tomichi Creek units), Lower Yampa (including the Juniper and Great Northern units), Upper Yampa (including the Hayden Mesa, Wessels, and Toponas units)"; (ii) by inserting after the word "Sublette" the words "(including a diversion of water from the Green River to the North Platte River Basin in Wyoming), Ute Indian unit of the Central Utah Project, San Juan County (Utah), Price River, Grand County (Utah), Gray Canyon, and Juniper (Utah)"; and (iii) changing the period after "projects" to a colon and adding the following proviso: "*Provided,* That the planning report for the Ute Indian unit of the Central Utah participating project shall be completed on or before December 31, 1974, to enable the United States of America to meet the commitments heretofore made to the Ute Indian Tribe of the Uintah and Ouray Indian Reservation under the agreement dated September 20, 1965 (Contract Numbered 14–06–W–194).". The amount which section 12 of said Act authorizes to be appropriated is hereby further increased by the sum of $392,000,000, plus or minus such amounts, if any, as may be required, by reason of changes in construction costs as indicated by engineering cost indices applicable to the type of construction involved. This additional sum shall be available solely for the construction of the Animas-La Plata, Dolores, Dallas Creek, West Divide, and San Miguel projects herein authorized.

1897

Report to Congress.

43 U. S. C. 620a.

Authorization increase.
43 U. S. C. 620k.

* * *

Approved, September 30, 1968.

PUBLIC LAW 90–542

AN ACT

To provide for a National Wild and Scenic Rivers System, and for other purposes.

October 2, 1968
[S. 119]
82 Stat. 906

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this Act may be cited as the "Wild and Scenic Rivers Act".

(b) It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations. The Congress declares that the established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water

Wild and Scenic Rivers Act

quality of such rivers and to fulfill other vital national conservation purposes.

(c) The purpose of this Act is to implement this policy by instituting a national wild and scenic rivers system, by designating the initial components of that system, and by prescribing the methods by which and standards according to which additional components may be added to the system from time to time.

* * *

1912
Land acquisition

⊥SEC. 6. (a) The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire lands and interests in land within the authorized boundaries of any component of the national wild and scenic rivers system designated in section 3 of this Act, or hereafter designated for inclusion in the system by Act of Congress, which is administered by him, but he shall not acquire fee title to an average or more than 100 acres per mile on both sides of the river. Lands owned by a State may be acquired only by donation, and lands owned by an Indian tribe or a political subdivision of a State may not be acquired without the consent of the appropriate governing body thereof as long as the Indian tribe or political subdivision is following a plan for management and protection of the lands which the Secretary finds protects the land and assures its use for purposes consistent with this Act. Money appropriated for Federal purposes from the land and water conservation fund shall, without prejudice to the use of appropriations from other sources, be available to Federal departments and agencies for the acquisition of property for the purposes of this Act.

(b) If 50 per centum or more of the entire acreage within a federally administered wild, scenic or recreational river area is owned by the United States, by the State or States within which it lies, or by political subdivisions of those States, neither Secretary shall acquire fee title to any lands by condemnation under authority of this Act. Nothing contained in this section, however, shall preclude the use of condemnation when necessary to clear title or to acquire scenic easements or such other easements as are reasonably necessary to give the public access to the river and to permit its members to traverse the length of the area or of selected segments thereof.

(c) Neither the Secretary of the Interior nor the Secretary of Agriculture may acquire lands by condemnation, for the purpose of including such lands in any national wild, scenic or recreational river area, if such lands are located within any incorporated city, village, or borough which has in force and applicable to such lands a duly adopted, valid zoning ordinance that conforms with the purposes of this Act. In order to carry out the provisions of this subsection the appropriate Secretary shall issue guidelines, specifying standards for local zoning ordinances, which are consistent with the purposes of this Act. The standards specified in such guidelines shall have the object of (A) prohibiting new commercial or industrial uses other than commercial or industrial uses which are consistent with the purposes of this Act, and (B) the protection of the bank lands by means of acreage, frontage, and setback requirements on development.

(d) The appropriate Secretary is authorized to accept title to non-Federal property within the authorized boundaries of any federally administered component of the national wild and scenic rivers system designated in section 3 of this Act or hereafter designated for inclusion in the system by Act of Congress and, in exchange therefor, convey to the grantor any federally owned property which is under his jurisdiction within the State in which the component lies and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal or, if they are not approximately equal, shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

(e) The head of any Federal department or agency having administrative jurisdiction over any lands or interests in land within the authorized boundaries of any federally administered component of the national wild and scenic rivers system designated in section 3 of this Act or hereafter designated for inclusion in the system by Act of Congress in authorized to transfer to the appropriate secretary jurisdic-⊥tion over such lands for administration in accordance with the provisions of this Act. Lands acquired by or transferred to the Secretary of Agriculture for the purposes of this Act within or adjacent to a national forest shall upon such acquisition or transfer become national forest lands. ⊥1913

(f) The appropriate Secretary is authorized to accept donations of lands and interests in land, funds, and other property for use in connection with his administration of the national wild and scenic rivers system.

(g) (1) Any owner or owners (hereinafter in this subsection referred to as "owner") of improved property on the date of its acquisition, may retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, or the death of either or both of them. The owner shall elect the term to be reserved. The appropriate Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(2) A right of use and occupancy retained pursuant to this subsection shall be subject to termination whenever the appropriate Secretary is given reasonable cause to find that such use and occupancy is being exercised in a manner which conflicts with the purposes of this Act. In the event of such a finding, the Secretary shall tender to the holder of that right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination. Such right of use or occupancy shall terminate by operation of law upon tender of the fair market price. Right of use and occupancy

(3) The term "improved property", as used in this Act, means a detached, one-family dwelling (hereinafter referred to as "dwelling"), the construction of which was begun before January 1, 1967, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the appropriate Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated. "Improved property."

* * *

Approved, October 2, 1968.

PUBLIC LAW 90-546

AN ACT

October 2, 1968
[H. R. 5910]
82 Stat. 935

To declare that the United States holds certain lands in trust for the Pawnee Indian Tribe of Oklahoma.

Pawnee Indians, Okla.
Lands held in trust.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in the following described lands and improvements thereon, embraced in the Pawnee school, and agency reserve, and in four cemetery sites, comprising seven hundred twenty-six and three one-hundredths acres, more or less, are hereby declared to be held by the United States in trust for the benefit of the Pawnee Tribe of Oklahoma, subject to valid existing rights-of-way, and subject to the right of the United States to use, without compensation, a tract

of land comprising approximately five and forty-six one-hundredths acres, together with facilities located thereon or hereafter installed, which are now used by the United States Public Health Service:

Indian Meridian, Oklahoma

Township 19 north, range 5 east, section 16, southwest quarter southeast quarter southwest quarter.

Township 21 north, range 5 east, section 18, southwest quarter southwest quarter southwest quarter.

Township 22 north, range 4 east, section 32, southwest quarter southwest quarter northeast quarter.

Township 22 north, range 5 east, section 20, northeast quarter southeast quarter southwest quarter; section 32, east half, east half west half; section 33, west half.

excepting therefrom the following lands:

(a) Lot 1, comprising 88.43 acres, more or less, located in the west half east half and east half west half section 32, as shown on General Land Office plat approved November 5, 1907, which has been conveyed to the city of Pawnee;

(b) Lot 2, comprising 12.68 acres, more or less, and lot 3, comprising 12.86 acres, more or less, both located in the west half east half and east half west half section 32, as shown on General Land Office supplemental plat approved February 4, 1920, which has been conveyed to the Home Mission Board of the Southern Baptist Convention.

Approved, October 2, 1968.

PUBLIC LAW 90-550

AN ACT

October 4, 1968
[H. R. 17023]
82 Stat. 937

Making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1969, and for other purposes.

Independent Offices and Department of Housing and Urban Development Appropriation Act, 1969.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1969, and for other purposes, namely:

* * *

1956

TITLE IV—GENERAL PROVISIONS

* * *

Interdepartmental groups, expenses.

1957
59 Stat. 134.

SEC. 307. None of the funds in this Act shall be available to finance interdepartmental boards, commissions, councils, committees, or similar groups under sec. 214 of the Independent Offices Appropriation Act, 1946 (31 U. S. C. 691) which do not have prior and specific Congressional approval of such method of financial support, except that during the fiscal year 1969, appropriations of interested departments and agencies made in this and other appropriation Acts shall be available, in aggregate amounts not to exceed those listed herein, for contributions toward expenses of the following committees: President's Council on Youth Opportunity, $357,000; Interagency Committee on Mexican-American Affairs, $485,000; U.S.—Mexico Commission for Border Development and Friendship, $300,000; National Council on Indian Opportunity, $100,000.

* * *

Approved, October 4, 1968.

PUBLIC LAW 90-570

AN ACT

October 12, 1968
[H. R. 17684]
82 Stat. 1003

To amend the Act of August 9, 1955, to authorize longer term leases of Indian lands on the pueblos of Cochiti, Pojoaque, Tesuque, and Zuni, in New Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of the first section of the Act entitled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955 (25 U. S. C. 415), is amended by inserting immediately after "the Fort Mojave Reservation," the following: "the pueblo of Cochiti, the pueblo of Pojoaque, the pueblo of Tesuque, the pueblo of Zuni,".

Indians' lands, N. Mex.

73 Stat. 597; 77 Stat. 301.

Approved, October 12, 1968.

PUBLIC LAW 90-575

AN ACT

October 16, 1968
[S. 3769]
82 Stat. 1014

To amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related Acts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, with the following table of contents, may be cited as the "Higher Education Amendments of 1968".

Higher Education Amendments of 1968.

* * *

TITLE III—AMENDMENTS TO OTHER PROVISIONS OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958 1052

* * *

PART F—AMENDMENT TO MISCELLANEOUS PROVISIONS (TITLE X) 1058

PROVISION IN NATIONAL DEFENSE EDUCATION ACT OF 1958 FOR THE TRUST TERRITORY OF THE PACIFIC ISLANDS, FOR SCHOOLS OF DEPARTMENT OF INTERIOR FOR INDIAN CHILDREN, AND FOR OVERSEAS DEPENDENT SCHOOLS OF DEPARTMENT OF DEFENSE

SEC. 351. (a) Section 1008 of the National Defense Education Act of 1958 is amended to read as follows:

20 U. S. C. 588

"ALLOTMENTS TO TERRITORIES AND POSSESSIONS

"SEC. 1008. The amounts reserved by the Commissioner under sections 302, 312, and 502 shall, in accordance therewith, be allotted among—

20 U. S. C. 442, 482; *Ante*, p. 1054.

"(A) Puerto Rico, the Canal Zone, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for the type of assistance furnished under the part or title in which the section appears, and

"(B) in the case of amounts so reserved under sections 302 and 502, (i) the Secretary of the Interior, according to the need for such assistance in order to effectuate the purposes of such part or title in schools operated for Indian children by the Department of the Interior, and (ii) the Secretary of Defense according to the need for such assistance in order to effectuate the purposes of such part or title in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title."

(b) Sections 302 (a) (1) and 502 (a) of such Act are each amended by striking out "2 per centum thereof, as he may determine for allotment as provided in section 1008" and inserting in lieu thereof "3 per centum thereof, as he may determine for allotment as provided in section 1008 (A), and such amount, not in excess of 1 per centum thereof, as he may determine for allotment as provided in section 1008 (B)".

* * *

Effective date.

(d) The amendments made by this section shall be effective with respect to fiscal years ending June 30, 1968.

* * *

Approved, October 16, 1968.

PUBLIC LAW 90-584

October 17, 1968
[S. 3227]

AN ACT

82 Stat. 1147

To provide for the disposition of funds appropriated to pay a judgment in favor of the Southern Paiute Nation of Indians in Indian Claims Commission dockets numbered 88, 330, and 330-A, and for other purposes.

Indians.
Southern Paiute Nation.
Judgment funds, disposition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of disposing of the sum of $7,253,165.19 appropriated April 30, 1965 (79 Stat. 81, 108, 109), to pay a judgment of the Indian Claims Commission entered in its dockets numbered 88, 330, and 330-A on January 18, 1965, on behalf of the Southern Paiute Nation, the bands and groups of Southern Paiute Indians named in the petitions and the Las Vegas Band, together with interest accruing thereon, the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements for eligibility: (a) they were born on or prior to and living on the date of this Act and are (b) enrolled or entitled to be enrolled as members of the Kaibab Band of Paiute Indians of the Kaibab Reservation, Arizona, or (c) enrolled or entitled to be enrolled as members of the Moapa Band of Paiute Indians of the Moapa River Reservation, Nevada, or (d) whose names or the name of a lineal ancestor appears on the final rolls of the Shivwits, Kanosh, Koosharem, and Indian Peaks Bands of Paiute Indians which were prepared pursuant to the Act of September 1, 1954 (68 Stat. 1099), or (e) Southern Paiute Indians whose names or the name of a lineal ancestor appears on the January 1, 1940, census roll of the Cedar City, Utah, Indians, or (f) Southern Paiute Indians whose names or the name of a lineal ancestor appears on the January 1, 1940, census roll of the Las Vegas Colony, Nevada, or (g) Indians living elsewhere who can establish Southern Paiute lineal descent to the satisfaction of the Secretary of the Interior: *Provided, however,* That no enrollee shall have elected or shall elect to participate in the judgment awarded by the Indian Claims Commission in its dockets numbered 31, 37, 80, 80-D, and 347, granted to "Certain Indians of California" or in dockets numbered 351 and 351-A granted to the Chemehuevi Tribe of Indians. Any person qualifying for enrollment as a member of more than one of the named Indian groups shall elect with which group he shall be enrolled for the purpose of this Act.

25 U. S. C. 741-760.

Applications.

SEC. 2. Applications for enrollment must be filed with the Area Director, Bureau of Indian Affairs, Phoenix, Arizona, in the manner and within the time limits prescribed by the Secretary for that purpose. The Secretary's determination on all applications for enrollment shall be final.

SEC. 3. The cost of preparing the Southern Paiute Indian roll, and of disposing of the judgment funds, and the deduction of attorneys' fees and expenses and the cost of litigation, shall be deducted from the judgment fund. The balance of said fund, together with accrued interest, shall be apportioned by the Secretary of the Interior among

Apportionment.

the groups of persons entitled to enrollment on the Southern Paiute Indian roll as provided in section 1 of this Act. Apportionment among said groups shall be on the ratio that the number of enrollees in each group shall bear to the total number enrolled on the Southern Paiute Indian roll.

Redeposit and disposition

SEC. 4. The total amounts apportioned to the groups enrolled in section 1 (b) and (c) shall be redeposited in the Treasury of the United States to the credit of the respective bands, and may be advanced, ⊥expended, invested, or reinvested in any manner authorized by the governing body and approved by the Secretary.

⊥1148

Equal shares.

SEC. 5. The funds apportioned to those Southern Paiute Indians enrolled under sections 1 (f) and (g) shall be available for distribution in equal shares to the enrollees except as provided in section 6 of this Act.

Minor enrollees, protection.

SEC. 6. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures as the Secretary determines will best protect their interests, including the establishment of trusts.

Disposition

SEC. 7. All funds, including interest, of the adult members of any group enrolled pursuant to sections 1 (d) and (e) of this Act may be advanced, expended, invested, or reinvested in any manner pursuant to a plan agreed upon between the governing body thereof or by the members thereof, at a meeting called in accordance with rules approved by the Secretary of the Interior, and the Board of Indian Affairs of the State of Utah, subject, however, to the previous approval of such plan by the Secretary of the Interior. However, the Secretary of the Interior shall not be charged with any responsibility in the administration of the funds.

Tax exemption.

SEC. 8. No part of the per capita distributions made under authority of this Act shall be subject to Federal or State income tax.

Rules and regulations

SEC. 9. The Secretary is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, October 17, 1968.

PUBLIC LAW 90-585

AN ACT

October 17, 1968
[H. R. 18885]
82 Stat. 1148

To provide for the disposition of funds appropriated to pay judgments in favor of the Seminole Tribe of Oklahoma in dockets numbered 150 and 248 of the Indian Claims Commission, and for other purposes.

Indians.
Seminole Tribe.
Judgment funds, disposition

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of the funds on deposit in the Treasury of the United States to the credit of the Seminole Tribe of Oklahoma that were appropriated by the Act of September 29, 1959 (73 Stat. 717), to pay a judgment by the Indian Claims Commission in docket numbered 150, and by the Act of May 13, 1966 (80 Stat. 141), to pay a judgment by the Indian Claims Commission in docket numbered 248, and any interest thereon, less payment of attorneys' fees and expenses, together with those school funds on deposit in the Treasury of the United States under the following symbols and titles:

14X7091 Seminole school fund.

14X7591 Interest and accruals on interest, Seminole school fund, may be advanced, expended, invested, or reinvested for any purpose that is authorized by the General Council of the Seminole Tribe of Oklahoma or other recognized governing body of that tribe and approved by the Secretary of the Interior.

SEC. 2. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, October 17, 1968.

PUBLIC LAW 90-597

October 17, 1968
[H. R. 17273]

82 Stat. 1164

AN ACT

To amend the Act of September 21, 1959 (Public Law 86-339) relating to the Reservation of the Agua Caliente Band of Mission Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of September 21, 1959 (73 Stat. 604; 25 U. S. C. 954), is amended to read as follows:

Agua Caliente Reservation, Calif.
Guardians, appointments and review.

"(a) No guardian or other fiduciary shall be appointed under State law for the estate of any member of the band, or continued in office, except with approval of the Secretary: *Provided,* That no conservator for any member of the band shall be appointed under State law or continued in office after the effective date of this Act, unless the individual Indian concerned, with the approval of the Secretary, personally petitions for the appointment or continuation of such appointment. The Secretary shall be given notice of all proceedings in the State court with respect to the estate of any member of the band which is being administered, and he may at any time appear as a party in such proceedings, and may exercise all rights accorded to a party under State law.

"(b) No guardian, conservator or other fiduciary appointed under State law shall, in his official capacity, participate in the management or disposition of any property or interest therein which is held in trust by the United States for a member of the band or is subject to
[1165] restric-[tions against alienation imposed by the laws of the United States, execute or approve any use, expenditure, investment, deposit, or disposition of such property or interest therein, or proceeds therefrom, or receive any fee or other compensation for services hereafter performed with respect to such property or interest therein. The provisions of this subsection shall not preclude any such person, in his private capacity, from participating in the management or disposition of such property or interest therein with the specific approval of the Secretary of the Interior. Actions with respect to the use, expenditure, investment, deposit, or disposition of such property or interests therein, or proceeds therefrom, shall be valid and efficacious in all respects without participation, of affirmation by any guardian, conservator, or other fiduciary appointed under State law.

Report.

"(c) The Secretary, at any time, may require any guardian, conservator, or other fiduciary appointed under State law for a member of the band to submit a full and complete report concerning his handling of the estate during the preceding six years. If any person or entity required to do so by the Secretary fails or refuses to so report, or, if having reported, the Secretary concludes that any action connected therewith is fraudulent, or capricious or arbitrary or so grossly erroneous as necessarily to imply bad faith, he may request the Attorney General to cause an action to be brought in the name of the United States in the United States District Court for the Central District of California or in any such district court having jurisdiction over the person, or persons, and subject matter, for such relief as may be appropriate, and said courts are hereby granted jurisdiction to hear and determine such action.

Money or property to be held in trust.

"(d) The Secretary may require any money or property in the possession of a fiduciary at the time the fiduciary relationship is terminated, or which is recovered pursuant to this Act, to be delivered to him to be held in trust for the individual Indian concerned.

"(e) Under such regulations as he shall provide, and with the consent of the individual Indian concerned, unless the Secretary determines such Indian to be incompetent by reason of minority or otherwise, in which case such consent shall not be required, the Secretary may use, advance, expend, exchange, deposit, dispose of,

invest and reinvest, in any manner and for any purpose, any money or other property held by the United States in trust for such Indian. The Secretary shall make no determination that an adult Indian is incompetent except after according him an opportunity to be heard upon reasonable notice, in accordance with the provisions of the Administrative Procedure Act. Unless the Indian otherwise agrees, the hearing shall be held in the State of California within sixty days of the date of notice. A person aggrieved by a determination of incompetency made by the Secretary shall be entitled to judicial review of such determination in accordance with sections 701–706 of title 5, United States Code.

Incompetency.

5 U. S. C. 551 *et seq.*

Judicial review.

80 Stat. 392.

"(f) Nothing herein shall be deemed to limit any authority possessed by the Secretary under any other provisions of law."

Approved, October 17, 1968.

PUBLIC LAW 90-608

AN ACT

October 21, 1968
[H. R. 20300]
82 Stat. 1190

Making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1969") for the fiscal year ending June 30, 1969, and for other purposes, namely:

Supplemental Appropriation Act, 1969

* * *

⊥CHAPTER V—DEPARTMENT OF THE INTERIOR ⊥1194

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $1,452,000.

* * *

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥1195

PUBLIC HEALTH SERVICE

HEALTH SERVICES

INDIAN HEALTH ACTIVITIES

For an additional amount for "Indian health activities", $850,000.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For an additional amount for "Construction of Indian health facilities", $4,056,000, to remain available until expended.

* * *

⊥INDEPENDENT OFFICE ⊥1199

NATIONAL COUNCIL ON INDIAN OPPORTUNITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Indian Opportunity, including services as authorized by 5 U. S. C. 3109, $100,000, which shall be in addition to the amount authorized by Public Law 90–550.

80 Stat. 416.

Ante, p. 937.

Approved, October 21, 1968.

PRIVATE LAWS OF THE NINETIETH CONGRESS, SECOND SESSION, 1968

PRIVATE LAW 90-325

September 21, 1968
[H. R. 11552]
82 Stat. 1424

AN ACT

For the relief of certain property owners in Tate County, Mississippi.

Ho-pah-cubby, heirs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, There is hereby conveyed to the heirs or assigns of Ho-pah-cubby, a Chickasaw Indian of Mississippi, and to persons claiming through them, as their rights and interests may appear, all right, title, and interests of the United States to section 22, township 5 south, range 6 west, Chickasaw meridian, Tate County, Mississippi.

Approved, September 21, 1968.

PRIVATE LAW 90-326

September 21, 1968
[H. R. 11782]
82 Stat. 1424

AN ACT

To authorize and direct the Secretary of the Interior to accept allotment relinquishments, approve a lieu allotment selection, and issue appropriate patents therefor to the heirs of Dolly McCovey.

Dolly McCovey, heirs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon receipt from those heirs of Dolly McCovey, deceased Hoopa Extension allottee numbered 197-H, representing more than one-half of the undivided interests, of a relinquishment of all of their right, title, and interest in her Hoopa Extension allotment, free and clear of all liens and encumbrances, the Secretary of the Interior shall cancel the patent to said allotment described as commencing at southeast corner of lot 4 in section 32, township 11 north, range 3 east, thence north 15 chains,
1425 west ⊥16 chains, south 15 chains, east 16 chains, to place of beginning and southwest quarter of southeast quarter of section 32, township 11 north, range 3 east, Humboldt meridian, California, containing 64 acres, more or less, and approve a lieu allotment selection described as the northeast quarter of northeast quarter, section 13, township 11 north, range 2 east, Humboldt meridian, California, comprising 40 acres, more or less, and issue a trust patent to all of the Indian heirs and a fee patent to all of the non-Indian heirs as their respective interests may appear.

If after reasonable search a non-Indian patentee cannot be located, the Secretary shall publish in a newspaper which is sold in the area where the lands are located a notice that the patent has been issued, and no claim against the United States with respect to the issuance of such patent or the cancellation of the trust patent to Dolly McCovey shall be entertained by any court unless commenced within one year from the date the notice is published.

Approved, September 21, 1968.

CONCURRENT RESOLUTION OF THE NINETIETH CONGRESS, SECOND SESSION, 1968

July 17, 1968
[H. Con. Res. 798]
82 Stat. 1447
Infra, p. 663.

CORRECTION IN ENROLLMENT OF H. R. 9098

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 9098) to revise the boundaries of the Badlands National Monument in the State of South Dakota, to authorize exchanges of land mutually beneficial to the Oglala Sioux Tribe and the United States, and for other purposes, is authorized and directed to make the following change, viz:

In lieu of the language appearing on page 4, lines 9 through 21 of the House engrossed bill and the Senate amendment thereto, insert the following:

"(b) Any former Indian or non-Indian owner of a tract of such land, whether title was held in trust or fee, may purchase such tract from the Secretary of the Interior under the following terms and conditions:

"(1) The purchase price to a former Indian owner shall be the total amount paid by the United States to acquire such tract and ⊥all interests therein, plus interest thereon from the date of ⊥1448 acquisition at a rate determined by the Secretary of the Treasury taking into consideration the average market yield of all outstanding marketable obligations of the United States at the time the tract was acquired by the United States, adjusted to the nearest one-eighth of 1 per centum. The purchase price to a former non-Indian owner shall be the present fair market value of the tract as determined by the Secretary of the Interior."

Passed July 17, 1968.

PUBLIC LAWS OF THE NINETY-FIRST CONGRESS, FIRST SESSION, 1969

PUBLIC LAW 91-24

AN ACT

June 11, 1969
[H. R. 684]
83 Stat. 33

To amend title 38 of the United States Code in order to make certain technical corrections therein, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 1 of title 38, United States Code, is amended as follows: Veterans.

* * *

⊥SEC. 14. Except as to any indebtedness which may be due the Government as the result of any benefits granted thereunder, the following provisions of law are repealed effective the date of enactment of this Act: ⊥35 Repeal.

* * *

(d) Section 2 of the Act entitled "An Act to provide outpatient medical and dental treatment for veterans of the Indian wars on the same basis as such treatment is furnished to veterans of the Spanish-American War, and to extend the time within which certain children eligible for benefits under the War Orphans Educational Assistance Act of 1956 may complete their education", approved October 4, 1961 (75 Stat. 806). 38 U.S.C. 1712 note

* * *

Approved, June 11, 1963.

PUBLIC LAW 91-47

AN ACT

July 22, 1969
[H. R. 11400]
83 Stat. 49

Making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriations Act, 1969") for the fiscal year ending June 30, 1969, and for other purposes, namely: Second Supplemental Appropriations Act, 1969.

* * *

⊥TITLE II ⊥50

* * *

⊥CHAPTER VI—DEPARTMENT OF THE INTERIOR ⊥54

* * *

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $2,781,000.

RESOURCES MANAGEMENT

For an additional amount for "Resources management", $2,700,000, of which $150,000 shall remain available until September 30, 1969; (and release of $426,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364).

* * *

163 ⊥TITLE III—INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1969, for increased pay costs authorized by or pursuant to law, as follows:

* * *

170 ⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

171 ⊥PUBLIC HEALTH SERVICE

HEALTH SERVICES

"Community health services"; (release of $590,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364);

"Patient care and special health services", $1,993,000, to be derived by transfer from "Communicable diseases", Public Health Service, fiscal year 1969: (and release of $91,000 reserved under "Patient care and special health services" pursuant to section 201 of Public Law 90–364);

"Hospital construction activities"; (release of $169,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364);

"Indian health activities", $2,640,000, to be derived by transfer from "Communicable diseases", Public Health Service, fiscal year 1969: (and release of $214,000 reserved under "Indian health activities" pursuant to section 201 of Public Law 90–364);

* * *

173 ⊥DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

"Education and welfare services", $2,843,000; (and release of $415,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364);

"Construction", (Release of $39,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364);

"Road construction (liquidation of contract authorization)", (Release of $38,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364);

174 ⊥"General administrative expenses", $246,000, to be derived by transfer from "Water supply and water pollution control", fiscal year 1969;

"Operation and maintenance, Indian irrigation systems"; (Release of $117,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364);

Post, p. 83.

"Power systems, Indian irrigation projects"; (Release of $39,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364);

"Indian moneys, proceeds of labor, agencies, schools, etc."; (Release of $40,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364);

"Tribal funds"; (Release of $48,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364);

* * *

PUBLIC LAW 91–64

AN ACT

August 25, 1969
[H. R. 671]
83 Stat. 105

To compensate the Indians of California for the value of land erroneously used as an offset in a judgment against the United States obtained by said Indians.

Indians of California Compensation
25 U. S. C. 661

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of September 21, 1968 (82 Stat. 860; Public Law 90–507), is redesignated as subsection (a) of section 3 and a new subsection (b) is added as follows:

"(b) The Secretary of the Treasury is authorized and directed to credit to the judgment account referred to in subsection (a), for distribution as a part of such account, the sum of $83,275, plus interest at 4 per centum per annum from December 4, 1944, which sum represents the value of sixty-six thousand six hundred and twenty acres of land erroneously used as an offset against said judgment."

Approved, August 25, 1969.

PUBLIC LAW 91–75

AN ACT

September 29, 1969
[S. 1766]
83 Stat. 123

To provide for the disposition of a judgment recovered by the Confederated Salish and Kootenai Tribes of Flathead Reservation, Montana, in paragraph 11, docket numbered 50233, United States Court of Claims, and for other purposes.

Indians.
Confederated Salish and Kootenai Tribes, Mont.
Judgment funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds appropriated to the credit of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, in satisfaction of a judgment awarded in paragraph 11 of the final decision in docket numbered 50233, United States Court of Claims, including interest thereon, after payment of attorneys' fees and other litigation expenses, may be advanced, expended, invested or reinvested for any purposes that are authorized by the tribal governing body and approved by the Secretary of the Interior.

SEC. 2. Any part of such funds that may be distributed to members of the tribes shall not be subject to Federal or State income tax.

Approved, September 29, 1969.

PUBLIC LAW 91–98

AN ACT

October 29, 1969
[H. R. 12781]
83 Stat. 147

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

Department of the Interior and Related Agencies Appropriation Act, 1970.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

⊥BUREAU OF INDIAN AFFAIRS ⊥1148

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services

for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops; $176,703,000.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for ⊥Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts, as authorized by law; $55,242,000.

⊥1149

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; $26,264,000, to remain available until expended: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, and Utah outside of the boundaries of existing reservations except lands authorized by law to be acquired for the Navajo Indian Irrigation Project: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations except such lands as may be required for replacement of the Wild Horse Dam in the State of Nevada: *Provided further*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, $20,000,000, to remain available until expended.

72 Stat. 906; 76 Stat. 1147.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $5,013,000.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and

per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a curator for the Osage Museum, who shall be appointed with the approval of the Osage Tribal Council and without regard to the classification laws: *Provided*, That in addition to the amount appropriated ⊥herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided further*, That nothing contained in this paragraph or in any other provision of law shall be construed to authorize the expenditure of funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims, except for such amounts as may be necessary to pay attorney fees, expenses of litigation, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds will be used: *Provided further*, That the limitations contained in the foregoing paragraph shall not apply to any judgment proceeds or other funds, revenues or receipts, due the Shoshone Indian Tribe of the Wind River Reservation, Wyoming, and any such funds may be distributed to them under the provisions of the Act of May 19, 1947, as amended (61 Stat. 102, 25 U. S. C. 611–613): *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation, except as provided for by the Acts of July 24, 1956 (70 Stat. 627), June 10, 1968 (82 Stat. 174), and September 28, 1968 (82 Stat. 884).

⊥150

72 Stat. 541.

25 U. S. C. 487.
25 U. S. C. 610–610e.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed sixty-eight passenger motor vehicles for police-type use which may exceed by $300 each the general purchase price limitation for the current year, of which twenty-three shall be for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), the Act of August 3, 1956 (70 Stat. 986), and legislation terminating Federal supervision over certain Indian tribes; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458.

82 Stat. 4

* * *

⊥TITLE II—RELATED AGENCIES

⊥159

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

⊥161

INDIAN HEALTH SERVICES

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (68 Stat. 674), as amended; purchase of not to exceed six passenger motor vehicles, for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 301 (with respect to research ⊥conducted at facilities financed by this appropriation), 311, 321, 322

2004a.

58 Stat. 691, 81 Stat. 539.
42 U. S. C. 241, 243, 248, 249, 251, 254a, 227.
25 U. S. C. 891 note.

(d), 324, 328, and 509 of the Public Health Service Act; $99,481,000, of which $350,000 shall be available for payments on account of the Menominee Indian people as authorized by section 1 of the Act of October 14, 1966 (80 Stat. 903).

INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U. S. C. 2004a); $19,000,000 to remain available until expended.

73 Stat. 267.

* * *

INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), as amended (81 Stat. 11), creating an Indian Claims Commission, $850,000, of which not to exceed $40,000 shall be available for expenses of travel.

60 Stat. 1049.

* * *

Approved, October 29, 1969.

PUBLIC LAW 91-100

October 30, 1969
[S. 775]
83 Stat. 167

AN ACT

To declare that the United States shall hold certain land in trust for the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota.

Indians.
Three Affiliated Tribes, Fort Berthold Reservation, N. Dak.
Lands in trust.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in and to the surface of the following described land (together with all buildings and other improvements thereon), such land and improvements having been declared excess to the needs of the Bureau of Indian Affairs, are hereby declared to be held by the United States in trust for the Three Affiliated Tribes of the Fort Berthold Reservation, subject to the right of the United States, its successors or assigns to use the west 75 feet of the parcel for a road right-of-way so long as it is needed, as determined by the Secretary of the Interior, for such purposes: southwest quarter southwest quarter northwest quarter of section 21, township 150 north, range 90 west, of the fifth principal meridian, North Dakota, comprising 10 acres.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claims against the United States determined by the Commission.

25 U. S. C. 70a.

Approved, October 30, 1969.

PUBLIC LAW 91-103

October 30, 1969
[S. 74]
83 Stat. 168

AN ACT

To place in trust status certain lands on the Standing Rock Sioux Indian Reservation in North and South Dakota.

Indians.
Standing Rock Sioux Tribe, N. Dak., S. Dak.
Lands in trust.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall hereafter be held by the United States in trust for the benefit of the Standing Rock Sioux Indian Tribe all the right, title, and interest of the United States in and to the following described land on the

Standing Rock Sioux Indian Reservation in North and South Dakota.

The southwest quarter southwest quarter southwest quarter southeast quarter of section 35, township 132 north of range 83 west of the fifth principal meridian, Sioux County, North Dakota, containing 2.5 acres more or less.

SEC. 2. This conveyance is subject to all valid existing rights-of-way of record.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the beneficial interest conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. 25 U. S. C. 70a.

Approved, October 30, 1969.

PUBLIC LAW 91-104

AN ACT

To declare that certain federally owned land is held by the United States in trust for the Cheyenne River Sioux Tribe of the Cheyenne River Indian Reservation.

October 30, 1969
[S. 921]
83 Stat. 168

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in land heretofore used in connection with the Cheyenne River Boarding School described as the east half section 19 and the west half section 20, township 13 north, range 31 east, Black Hills Meridian, Dewey County, South Dakota, comprising approximately 640 acres, together with all improvements thereon except fencing owned by Indian permittee, are hereby declared to be held by the United States in trust for the Cheyenne River Sioux Tribe of the Cheyenne River Indian Reservation. The land conveyed by this Act is subject to all valid existing rights-of-way.

Indians
Cheyenne River Sioux Tribe, S. Dak.
Lands in trust

⊥SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claims against the United States determined by the Commission. ⊥169 25 U. S. C. 70a.

Approved, October 30, 1969.

PUBLIC LAW 91-112

AN ACT

To declare that certain federally owned lands are held by the United States in trust for the Indians of the Pueblo of Laguna.

November 6, 1969
[S. 210]
83 Stat. 184

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to the following described federally owned lands and all improvements thereon, situated in Valencia and Sandoval Counties, New Mexico, which were acquired for school, sanatorium, clinic, agency, or other administrative purposes, are hereby declared to be held by the United States in trust for the Pueblo of Laguna:

Indians of the Pueblo of Laguna, N. Mex.
Lands held in trust

Antonio Sedillo Grant administrative site situated in unsurveyed sections 2, 11, 12, and 14, township 8 north, range 3 west, New Mexico principal meridian, and more particularly described as beginning at center of west line of section 11, thence south along same section line approximately one-sixteenth mile to a point where a fence line ties on to west line of same section; thence southeasterly along said fence line approximately one mile through the southwest quarter and southeast quarter section 11, and to a point in the northeast quarter section 14 where said fence corners; thence in a northeasterly direction along same fence line through sections 14, 11, and 12 to a point where said fence ties on to a mesa rim; thence in a northeasterly direction along

mesa rim to a point where same mesa rim turns in an easterly direction; thence north approximately fifty yards to a water gap on Rio San Jose in northwest quarter section 12; thence in a northwesterly direction through the northwest quarter section 12, northeast quarter section 11 and southeast quarter section 2 to a point where channel of Rio San Jose turns westerly; thence along said channel of Rio San Jose westerly, southwesterly and northwesterly approximately one mile to a point of intersection of said channel with the west line of section 2; thence south along west lines of sections 2 and 11, township 8 north, range 3 west, to point of beginning, containing 640 acres, more or less.

Bernabe M. Montano Grant administrative site described as the southwest quarter section 7 and northwest quarter section 18, township 12 north, range 1 west, New Mexico principal meridian, containing 320 acres, more or less.

Laguna Sanatorium site situated in sections 4 and 5, township 9 north, range 5 west, New Mexico principal meridian, described in quitclaim deed dated June 7, 1923, from the Pueblo of Laguna to the
1185 United States of America, as follows: From the southeast corner ⊥of the school tract, north 32 degrees 15 minutes east 6.47 chains to the southwest corner of the addition; thence south 57 degrees 45 minutes east 4.00 chains to the southeast corner; thence north 21 degrees 57 minutes east 7.00 chains; thence north 77 degrees 09 minutes east 6.05 chains; thence north 13 degrees 39 minutes east 3.87 chains; thence north 7 degrees 33 minutes east 9.47 chains to the northeast corner; thence north 82 degrees 27 minutes west 1.97 chains to the northwest corner; thence south 32 degrees 15 minutes west 22.62 chains to the place of beginning, containing 9.90 acres more or less.

Government excluded tract that was excepted and excluded from United States Patent Numbered 89,316 dated November 15, 1909, to the Pueblo of Laguna covering the Pueblo of Laguna grant in townships 9 and 10 north, ranges 5 and 6 west, New Mexico principal meridian, described as beginning at a point 72 feet westwardly from the center of the main line of the Santa Fe Pacific Railroad and 75 feet northwardly from Robert G. Marmon's north fence; thence north 32 degrees 15 minutes east on a line parallel to the railroad, 21 chains 47 links to the northeast corner, which is a mound of stone; thence north 57 degrees 45 minutes west, 15 chains to the northwest corner which is a pile of stone; then south 32 degrees 15 minutes west, 21 chains 47 links to the southwest corner, which is a point; thence south 57 degrees 45 minutes east, 15 chains to the southeast corner and place of beginning, containing 32.20 acres, more or less.

Encinal School site (acquired by condemnation in case numbered 1604, equity, in the United States District Court in the District of New Mexico), situated in section 3, township 10 north, range 6 west, New Mexico principal meridian, and more particularly described as follows: The place of beginning is a point located north 44 degrees 40 minutes east a distance of 1,300.0 feet and thence north 56 degrees 15 minutes east a distance of 232.0 feet from the southwest section corner of section 3, township 10 north, range 6 west. From said place of beginning line runs north a distance of 335.1 feet; thence east 260.0 feet; thence south 335.1 feet; thence west 260.0 feet to point of beginning, and contains 2 acres, more or less.

Laguna Day School site (acquired through condemnation proceedings in United States District Court in the District of New Mexico, case numbered 2895; final decree filed May 19, 1937), consisting of two parcels described as follows:

> Parcel numbered 1 situated in section 5, township 9 north, range 5 west, New Mexico principal meridian, lying south of and adjacent to the United States Government excluded tract situated in said section, and more particularly described as beginning

at the northeast corner of parcel numbered 1, which corner is located on the south boundary of the said United States Government excluded tract, and bears north 57 degrees 45 minutes west 212.7 feet from the southeast corner of the said United States Government excluded tract, and running thence north 57 degrees 45 minutes west 210 feet, more or less, along the south boundary of the said United States Government excluded tract to the northwest corner of said certain tract; thence south 32 degrees 16 minutes west 173.3 feet, more or less, to the southwest corner, thence south 54 degrees 06 minutes east 197.7 feet to the southeast corner; thence north 36 degrees 03 minutes east 186.9 feet, more or less, to the point of beginning, containing 0.83 acres, more or less.

Parcel numbered 2 situated in section 5, township 9 north, range 5 west, New Mexico principal meridian, lying south of and adjacent to the United States Government excluded tract situated in said section, and more particularly described as beginning at the ⊥northwest corner of parcel numbered 2, which corner is ⊥186 located at the intersection of the south boundary of the United States Government excluded tract with the south right-of-way line of United States Highway Numbered 66 and bears north 57 degrees 45 minutes west 503 feet, more or less, from the southeast corner of the said United States Government excluded tract, and running thence south 57 degrees 45 minutes east 81 feet, more or less, to the northeast corner of said tract; thence south 32 degrees 16 minutes west 173.2 feet to the southeast corner of said tract; thence north 54 degrees 06 minutes west 227 feet, more or less, to the southwest corner, which corner is a point on the south right-of-way line of United States Highway Numbered 66; thence following a 3-degree 5.2-minute curved line curving to the right and following the said south right-of-way line of Highway Numbered 66 a distance of 217 feet, more or less, to the point of beginning, containing 0.61 acres, more or less.

Paguate School site (acquired by condemnation in case numbered 125, in the United States District Court in the District of New Mexico; judgment rendered July 5, 1912), situated in section 33, township 11 north, range 5 west, New Mexico principal meridian, and more particularly described as beginning at the 11th mile corner on the north boundary of the Paguate purchase; thence south 34 degrees 20 minutes west, a distance of 36.25 chains; thence south 3 degrees 50 minutes east, a distance of 32.00 chains; thence south 17 degrees 41 minutes east, a distance of 95.18 chains to the southwest corner of the lot; thence south 77 degrees 15 minutes east, a distance of 3.395 chains; thence north 10 degrees 43 minutes east, a distance of 3.82 chains; thence north 89 degrees 38 minutes west, a distance of 2.175 chains; thence south 30 degrees 40 minutes west, a distance of 0.67 chains; thence north 82 degrees 33 minutes west, a distance of 1.06 chains; thence south 9 degrees 54 minutes west, a distance of 2.613 chains to the southwest corner, containing 1.11 acres, more or less.

Mesita School site (acquired by condemnation in case numbered 86; judgment rendered June 3, 1912), situated in section 18, township 9 north, range 4 west, New Mexico principal meridian, and more particularly described as beginning at the southwest corner of the school site, which is north 1 degree east a distance of 3 miles 24.6 chains from the standard corner of township 9 north, ranges 4 and 5 west, New Mexico principal meridian; thence south 84 degrees 46 minutes east, a distance of 4.00 chains; thence north 5 degrees 14 minutes east 2.50 chains; thence north 84 degrees 46 minutes west 4.00 chains; thence south 5 degrees 14 minutes west 2.50 chains to point of beginning, containing 1 acre, more or less.

Paraje School site described as south half northwest quarter north-

west quarter southeast quarter section 33, township 10 north, range 6 west, New Mexico principal meridian, containing 5 acres, more or less.

Seama Government site described as northwest quarter southwest quarter southwest quarter northwest quarter section 6, township 9 north, range 6 west, New Mexico principal meridian, containing 2.50 acres, more or less.

Seama School site (acquired by condemnation in case numbered 1604, equity), situated in section 36, township 10 north, range 7 west, New Mexico principal meridian, and more particularly described as follows: The place of beginning is a point on the one-sixteenth subdivision line 1,251.3 feet west from the east one-sixteenth corner of the southeast quarter section 36, township 10 north, range 7 west, ⊥187 New ⊥Mexico principal meridian. From said place of beginning, line runs west on said one-sixteenth subdivision line for a distance of 208.7 feet; thence north 417.4 feet; thence east 208.7 feet; thence south 417.4 feet to place of beginning, containing 2 acres, more or less.

Rights of way
Public Health Service occupancy

SEC. 2. This conveyance is subject to all valid existing rights-of-way of record; and to the right of the United States Public Health Service to continue use and occupancy of that property, presently in use by it, for so long as is necessary.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 25 U. S. C. 70a. 1946 (60 Stat. 1050), the extent to which the value of any lands and improvements placed in a trust status under the authority of this Act should or should not be set off against any claim against the United States determined by the Commission.

Approved, November 6, 1969.

PUBLIC LAW 91–115

AN ACT

November 10, 1969
[S. 73]

To amend the Act entitled "An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota".

83 Stat. 190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of December 11, 1963 (77 Stat. 349), Public Law 88–196, entitled "An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota", be and the same is hereby amended by adding a section 3 reading as follows:

Rosebud Sioux Indian Reservation, S. Dak.
Lands.
Foreclosure or sale proceedings

⊥191 ⊥"SEC. 3. Any land mortgaged under section 2 of this Act shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of South Dakota. For the purpose of any foreclosure or sale proceeding, the Rosebud Sioux Tribe shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the foreclosure or sale proceeding, and any conveyance of the land pursuant to the foreclosure or sale proceeding shall divest the United States of title to the land. Title to any land redeemed or acquired by the Rosebud Sioux Tribe at such foreclosure or sale proceeding shall be taken in the name of the United States in trust for the tribe. Title to any land purchased by an individual Indian member of the Rosebud Sioux Tribe at such foreclosure sale or proceeding may, with the consent of the Secretary of the Interior, be taken in the name of the United States in trust for the individual Indian purchaser."

SEC. 2. The Act of December 11, 1963 (77 Stat. 349), Public Law 88–196, entitled "An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota", is further amended by adding a section 4 reading as follows:

"SEC. 4. The provisions of this Act shall not apply to the foreclosure

of a mortgage or a deed of trust which is then owned by an individual Indian."

Approved, November 10, 1969.

PUBLIC LAW 91-123

AN ACT

To authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended, and titles I, III, IV, and V of the Public Works and Economic Development Act of 1965, as amended.

November 25, 1969
[S. 1072]
83 Stat. 213

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * *

⊥TITLE III—AMENDMENTS TO THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

⊥219

SEC. 301. Title I of the Public Works and Economic Development Act of 1965, as amended, is further amended as follows:

79 Stat. 552.
42 U. S. C. 3131–3136.

(1) The first sentence of section (101)(c) of the Public Works and Economic Development Act of 1965 (42 U. S. C. 3131 (c)) is amended by inserting before the period at the end thereof a comma and the following: "except that in the case of a grant to an Indian tribe, the Secretary may reduce the non-Federal share below such per centum or may waive the non-Federal share".

* * *

Approved, November 25, 1969.

PUBLIC LAW 91-125

JOINT RESOLUTION

To authorize appropriations for expenses of the National Council on Indian Opportunity.

November 26, 1969
[S. J. Res. 121]
83 Stat. 220

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated not to exceed $300,000 annually for the expenses of the National Council on Indian Opportunity, established by Executive Order Numbered 11399 of March 6, 1968.

Appropriation.

SEC. 2. The National Council on Indian Opportunity shall terminate five years from the date of this Act unless it is extended by an Act of Congress.

25 U. S. C. prec. 1 note

Approved, November 26, 1969.

PUBLIC LAW 91-148

AN ACT

To grant the consent of the Congress to the Tahoe regional planning compact, to authorize the Secretary of the Interior and others to cooperate with the planning agency thereby created, and for other purposes.

December 18, 1969
[S. 1181]
83 Stat. 360

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to encourage the wise use and conservation of the waters of Lake Tahoe and of the resources of the area around said lake, the consent of the Congress is hereby given to the Tahoe regional planning compact heretofore adopted by the States of California and Nevada, which compact reads as follows:

Tahoe Regional Planning Compact
Consent of Congress.

* * *

⊥SEC. 5. Nothing contained in this Act or in the compact consented to shall in any way affect the powers, rights, or obligations of the United States, or the applicability of any law or regulation of the United States in, over, or to the region or waters which are the subject

⊥369

of the compact, or in any way affect rights owned or held by or for Indians or Indian tribes subject to the jurisdiction of the United States.

* * *

Approved, December 18, 1969.

PUBLIC LAW 91-149

AN ACT

December 22, 1969
[H. R. 12785]
83 Stat. 369

To declare that the United States holds in trust for the Southern Ute Tribe approximately 214.37 acres of land.

Indians.
Southern Ute Tribe.
Lands in trust

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in the lands described below, which are excess to the needs of the Bureau of Indian Affairs, shall be held in trust by the United States for the Southern Ute Tribe subject to the laws and regulations that apply to other lands held in trust for the tribe:

(a) The portion of the east half west half northeast quarter, section 5, lying west of the Pine River; that portion of the east half northeast quarter, section 5, lying west of the Pine River; and that portion of the northwest quarter northwest quarter, section 4, ⊥lying west of the Pine River, all in township 33 north, range 7 west, New Mexico principal meridian, Colorado, containing 110 acres.

⊥1370

(b) That portion of the northeast quarter northwest quarter, section 5, township 33 north, range 7 west, New Mexico principal meridian, La Plata County, Colorado, described as: Beginning at the northeast corner of the northwest quarter, section 5; thence running south 1,329 feet; thence turning on azimuth of 89 degrees 16 minutes right and running west 844 feet; thence turning on azimuth of 121 degrees 55 minutes right and running northeast 400 feet; thence turning on azimuth 6 degrees 21 minutes left and running northeast 379 feet; thence turning on azimuth of 1 degree 46 minutes left and running northeast 318 feet; thence turning on azimuth of 2 degrees 50 minutes left and running northeast 383 feet; thence turning on azimuth of 69 degrees 7 minutes right and running east 219.3 feet to the point of beginning, containing 15.37 acres, more or less.

(c) West half northwest quarter northeast quarter, section 5, township 33 north, range 7 west, New Mexico principal meridian, La Plata County, Colorado; containing 20.00 acres, more or less.

(d) West half southwest quarter northeast quarter, and the southeast quarter northwest quarter, section 5, township 33 north, range 7 west, New Mexico principal meridian, La Plata County, Colorado; containing 60 acres, more or less.

(e) That portion of the northwest quarter southwest quarter, section 5, township 33 north, range 7 west, New Mexico principal meridian, La Plata County, Colorado, described as: Beginning at a point 1,235 feet west of the northeast corner of the northwest quarter southwest quarter section 5, thence south 208 feet, thence west 208 feet, thence north 208 feet, thence east 208 feet, to the point of beginning, containing one acre, more or less, together with an easement of right-of-way for water pipeline purposes running east from the northeast corner of the one acre along the north line of the northwest quarter southwest quarter of section 5, 1,235 feet to the northeast corner of the northwest quarter southwest quarter, thence south 20 feet, thence west in a line parallel to the north line of the northwest quarter southwest quarter, 1,235 feet to the east line of the one-acre tract herein conveyed, thence north 20 feet to the point of beginning of the

right-of-way for a pipeline to connect with the reservoir on the northeast quarter southeast quarter of section 5, all subject to the reservation of a right of the United States to use the property conveyed as long as the Secretary of the Interior deems necessary.

(f) That portion of the southwest quarter southeast quarter, section 14U described as: Beginning at the southwest corner of the southwest quarter of the southeast quarter of section 14U, township 34 north, range 7 west, New Mexico principal meridian, La Plata County, Colorado; thence east 20 rods; thence north 64 rods; thence west 20 rods; thence south 64 rods to the point of beginning; containing eight acres, more or less; together with an equitable proportionate share of the water belonging to allotment numbered 172 in what is known as the Bent Ditch.

SEC. 2. The Indian Claims Commission is directed to determine, in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. 25 U. S. C. 70a.

Approved, December 22, 1969.

PUBLIC LAW 91-152

AN ACT

To amend and extend laws relating to housing and urban development, and for other purposes.

December 24, 1969
[S. 2864]
83 Stat. 379

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing and Urban Development Act of 1969". Housing and Urban Development Act of 1969

* * *

⊥TITLE II—URBAN RENEWAL AND HOUSING ASSISTANCE PROGRAMS ⊥385

* * *

EXTENSION OF URBAN RENEWAL ASSISTANCE TO THE TRUST TERRITORY OF THE PACIFIC ISLANDS AND TO INDIAN TRIBES

SEC. 202. (a) Section 110 (h) of the Housing Act of 1949 is amended by striking out the second sentence and inserting in lieu thereof the following: "The term 'State' includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Trust Territory ⊥of the Pacific Islands, the territories and possessions of the United States, and Indian tribes, bands, groups, and nations, including Alaska Indians, Aleuts, and Eskimos, of the United States." 68 Stat. 625. 42 U. S. C. 1460. ⊥386

(b) The first sentence of section 116 of such Act is amended by striking out "and counties" and inserting in lieu thereof "counties, and Indian tribes, bands, groups, and nations, including Alaska Indians, Aleuts, and Eskimos, of the United States". 79 Stat. 477. 42 U. S. C. 1467.

(c) The first sentence of section 117 of such Act is amended by striking out "and counties" and inserting in lieu thereof "counties, and Indian tribes, bands, groups, and nations, including Alaska Indians, Aleuts, and Eskimos, of the United States". 42 U. S. C. 1468.

(d) The first sentence of section 118 of such Act is amended by striking out "and counties" and inserting in lieu thereof "counties, and Indian tribes, bands, groups, and nations, including Alaska Indians, Aleuts, and Eskimos, of the United States". 82 Stat. 525. 42 U. S. C. 1468a.

* * *

⊥ASSISTANCE FOR HOUSING IN ALASKA ⊥390

SEC. 220. Section 1004 (a) of the Demonstration Cities and Metropoli- 80 Stat. 1284

42 U. S. C. 3371

tan Development Act of 1966 is amended by striking out "$7,500" and inserting in lieu thereof "$10,875".

* * *

Approved, December 24, 1969.

PUBLIC LAW 91-166

AN ACT

December 26, 1969
[H. R. 15209]
83 Stat. 447

Making supplemental appropriations for the fiscal year ending June 30, 1970, and for other purposes.

Supplemental Appropriation Act, 1970.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1970") for the fiscal year ending June 30, 1970, and for other purposes, namely:

* * *

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CHAPTER III—DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $6,000,000.

* * *

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RELATED AGENCIES

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

INDIAN HEALTH SERVICES

For an additional amount for "Indian Health Services", $2,048,000.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For an additional amount for "Indian Health Facilities", $1,952,000, to remain available until expended.

NATIONAL COUNCIL ON INDIAN OPPORTUNITY

SALARIES AND EXPENSES

Ante, p. 220.
80 Stat. 416.

For expenses necessary for the National Council on Indian Opportunity, including services as authorized by 5 U. S. C. 3109, $286,000.

* * *

Approved, December 26, 1969.

PUBLIC LAWS OF THE NINETY-FIRST CONGRESS, SECOND SESSION, 1970

PUBLIC LAW 91-224

AN ACT

April 3, 1970
[H. R. 4148]
84 Stat. 91

To amend the Federal Water Pollution Control Act, as amended, and for other purposes.

Federal Water Pollution Control Act, amendments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—WATER QUALITY IMPROVEMENT

SEC. 101. This title may be cited as the "Water Quality Improvement Act of 1970". Citation of title

* * *

[1]"ALASKA VILLAGE DEMONSTRATION PROJECTS [1]107

"SEC. 20. (a) The Secretary is authorized to enter into agreements with the State of Alaska to carry out one or more projects to demonstrate methods to provide for central community facilities for safe water and the elimination or control of water pollution in those native villages of Alaska without such facilities. Such projects shall include provisions for community safe water supply systems, toilets, bathing and laundry facilities, sewage disposal facilities, and other similar facilities, and educational and informational facilities and programs relating to health and hygiene. Such demonstration projects shall be for the further purpose of developing preliminary plans for providing such safe water and such elimination or control of water pollution for all native villages in such State.

"(b) In carrying out this section the Secretary shall cooperate with the Secretary of Health, Education, and Welfare for the purpose of utilizing such of the personnel and facilities of that Department as may be appropriate.

"(c) The Secretary shall report to Congress not later than January 31, 1973, the results of the demonstration projects authorized by this section together with his recommendations, including any necessary legislation, relating to the establishment of a statewide program. Report to Congress

"(d) There is authorized to be appropriated not to exceed $1,000,000 to carry out this section." Appropriation

* * *

Approved, April 3, 1970.

PUBLIC LAW 91-229

AN ACT

To provide for loans to Indian tribes and tribal corporations, and for other purposes. April 11, 1970 [S. 2274] 84 Stat. 120

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to make loans from the Farmers Home Administration Direct Loan Account created by section 338 (c), and to make and insure loans as provided in sections 308 and 309, of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U. S. C. 1988(c), 1928, 1929), to any Indian tribe recognized by the Secretary of the Interior or tribal corporation established pursuant to the Indian Reorganization Act (25 U. S. C. 477), which does not have adequate uncommitted funds, to acquire lands or interests therein within the tribe's reservation as determined by the Secretary of the Interior, or within a community in Alaska incorporated by the Secretary pursuant to the Indian Reorganization Act, for use of the tribe or the corporation or the members of either. Such loans shall be limited to such Indian tribes or tribal corporations as have reasonable prospects of success in their proposed operations and as are unable to obtain sufficient credit elsewhere at reasonable rates and terms to finance the purposes authorized in this Act. Indians. Loans 75 Stat. 316, 308 82 Stat. 770 40 Stat. 988 Limitation

SEC. 2. Title to land acquired by a tribe or tribal corporation with a loan made or insured pursuant to this Act may, with the approval of the Secretary of the Interior, be taken by the United States in trust for the tribe or tribal corporation. Title in trust

SEC. 3. A tribe or tribal corporation to which a loan is made or insured pursuant to this Act (1) may waive in writing any immunity from suit or liability which it may possess, (2) may mortgage or Rights and privileges

otherwise hypothecate trust or restricted property if (a) authorized by its constitution or charter or by a tribal referendum, and (b) approved by the Secretary of the Interior, and (3) shall comply with rules and regulations prescribed by the Secretary of Agriculture in connection with such loans.

Mortgaged property

SEC. 4. Trust or restricted tribal or tribal corporation property mortgaged pursuant to this Act shall be subject to foreclosure and sale or conveyance in lieu of foreclosure, free of such trust or restrictions, in accordance with the laws of the State in which the property is located.

75 Stat. 308.
7 U. S. C. 1927.
7 U. S. C. 1990, 1921 note, 1013a, 1991, 1984.

SEC. 5. Loans made or insured pursuant to this Act will be subject to the interest rate provisions of section 307 (a) of the Consolidated Farmers Home Administration Act of 1961, as amended, and to the provisions of subtitle D of that Act except sections 340, 341, 342, and 343 thereof: *Provided*, That section 334 thereof shall not be construed to subject to taxation any lands or interests therein while they are held by an Indian tribe or tribal corporation or by the United States in trust for such tribe or tribal corporation pursuant to this Act.

Approved, April 11, 1970.

PUBLIC LAW 91-230

AN ACT

April 13, 1970
[H. R. 514]

To extend programs of assistance for elementary and secondary education, and for other purposes.

84 Stat. 121

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Elementary and secondary education assistance programs, extension.

* * *

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

PART A—AMENDMENTS TO TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (EDUCATION OF DISADVANTAGED CHILDREN)

* * *

‡130

‡CONSOLIDATION OF CERTAIN EDUCATION PROGRAMS

79 Stat. 39; 81 Stat. 788.
20 U. S. C. 841-848.

SEC. 131. (a) (1) Title III of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"TITLE III—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES; GUIDANCE, COUNSELING, AND TESTING

* * *

"ALLOTMENT AMONG STATES

‡131

‡"SEC. 302. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition for each fiscal year ending prior to July 1, 1972, he shall allot from such amount to (A) the Secretary of the Interior the amount necessary to provide programs and projects for the purpose of this title for individuals on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the

overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for making grants under this title for any fiscal year pursuant to section 301 (b), the Commissioner shall allot $200,000 to each State and shall allot the remainder of such sums among the States as follows:

"(A) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

"(B) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term "State" does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands. "State."

"(b) The number of children aged five to seventeen, inclusive, and the total population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

"(c) The amount allotted to any State under subsection (a) for any fiscal year, which the Commissioner determines will not be required for the period for which that amount is available, shall be available for grants pursuant to section 306 in such State, and if not so needed may be reallotted or used for grants pursuant to section 306 in other States. Funds available for reallotment may be reallotted from time to time, on such dates during that period as the Commissioner may fix, among other States in proportion to the amounts originally allotted ⊥among those States under subsection (a) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates that State needs and will be able to use for that period; and the total of these reductions may be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection from funds appropriated pursuant to section 301 for any fiscal year shall be deemed to be a part of the amount allotted to it under subsection (a) for that year. 84 Stat. 132 ⊥132

"(d) The amounts made available under the first sentence of subsection (c) for any fiscal year shall remain available for grants during the next succeeding fiscal year. Availability of funds

* * *

⊥SEC. 143. (a) (1) The heading of title V of the Elementary and Secondary Education Act of 1965 is amended to read as follows: ⊥142 79 Stat. 47 20 U. S. C. 861-870.

"TITLE V—STRENGTHENING STATE AND LOCAL EDUCATIONAL AGENCIES".

(2) Such title V is amended by inserting before section 501 thereof the following heading:

* * *

⊥PART E—AMENDMENTS TO TITLE VII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (BILINGUAL EDUCATION) ⊥151

* * *

APPLICATION TO INDIANS ON RESERVATIONS

SEC. 152. (a) Title VII of the Elementary and Secondary Education Act of 1965 is amended by redesignating sections 706, 707, and 708 20 U. S. C. 880b-4 880b-6

(and references thereto) as sections 707, 708, and 709 thereof and by inserting the following new section immediately after section 705:

1152 ⊥"CHILDREN IN SCHOOLS ON RESERVATIONS

"SEC. 706. (a) For the purpose of carrying out programs pursuant to this title for individuals on reservations serviced by elementary and secondary schools operated on such reservations for Indian children, a nonprofit institution or organization of the Indian tribe concerned which operates any such school and which is approved by the Commissioner for the purposes of this section, may be considered to be a local educational agency as such term is used in this title.

Ante, p. 151. "(b) From the sums appropriated pursuant to section 703, the Commissioner may also make payments to the Secretary of the Interior for elementary and secondary school programs to carry out the policy of section 702 with respect to individuals on reservations serviced by elementary and secondary schools for Indian children operated or funded by the Department of the Interior. The terms upon which payments for that purpose may be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the policy of section 702."

81 Stat. 816.
20 U. S. C. 880b

20 U. S. C. 880b-4. (b) Section 707 (a) of such Act (as redesignated by this Act) is amended by inserting the following before the period at the end thereof: "or, in the case of payments to the Secretary of the Interior, an amount determined pursuant to section 706(b)".

* * *

1154 ⊥TITLE II—AMENDMENTS TO PUBLIC LAWS 815 AND 874 OF THE EIGHTY-FIRST CONGRESS (IMPACTED AREAS PROGRAMS)

* * *

1159 ⊥DECLARATION OF POLICY WITH RESPECT TO SCHOOL CONSTRUCTION ASSISTANCE FOR INDIAN CHILDREN

SEC. 206. Section 14 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), relating to public schools with children residing on Indian lands, is further amended by inserting at the end thereof the following:

Ante, p. 158.

"(h) It is hereby declared to be the policy of the Congress that the provision of assistance pursuant to subsections (a) and (b) of this section shall be given a priority at least equal to that given to payments made pursuant to section 10 of this Act."

80 Stat. 1215.
20 U. S. C. 640.

* * *

1175 ⊥TITLE VI—EDUCATION OF THE HANDICAPPED

PART A—GENERAL PROVISIONS

SHORT TITLE

SEC. 601. This title may be cited as the "Education of the Handicapped Act".

* * *

1178 ⊥PART B—ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN

* * *

ALLOTMENT OF FUNDS

SEC. 612. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year

for payments to States under section 611 (b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among—

(A) Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs, and

(B) for each fiscal year ending prior to July 1, 1972, the Secretary of the Interior, according to the need for such assistance for the education of handicapped children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior and the terms upon which payments for such purposes shall be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this part.

* * *

⊥TITLE VIII—MISCELLANEOUS ⊥1190

* * *

TEACHER CORPS ASSISTANCE FOR INDIAN CHILDREN

SEC. 803. The first sentence of section 513 (c) (2) of the Higher Education Act of 1965 is amended to read as follows: "Not to exceed 3 per centum of the number of members of the Teacher Corps who are available shall be allocated to Puerto Rico and the Virgin Islands and not to exceed 5 per centum of such members shall be allocated to the elementary and secondary schools operated for Indian children by the Department of Interior, according to their respective needs."

81 Stat. 86
20 U. S. C. 1103

Approved, April 13, 1970.

PUBLIC LAW 91-240

AN ACT

To provide for disposition of estates of intestate members of the Cherokee, Chickasaw, Choctaw, and Seminole Nations of Oklahoma dying without heirs.

May 7, 1970
[H. R. 4145]
84 Stat. 203

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the final determination of a court having jurisdiction or by decision of the Secretary of Interior after a period of five years from the death of the decedent, it is determined that a member of the Cherokee, Chickasaw, Choctaw, or Seminole Nations or Tribes of Oklahoma or a person of blood of said tribes has died intestate without heirs, owning trust or restricted Indian lands in Oklahoma or an interest therein or rents or profits therefrom, such lands, interests, or profits shall escheat to the Nation or tribe from which title to the trust or restricted Indian lands or interest therein was derived and shall be held thereafter in trust by the United States for said nation or tribe.

Indians, Okla.
Intestate members.
Disposition of estates.

Approved, May 7, 1970.

PUBLIC LAW 91-251

AN ACT

To authorize the transfer of the Brown unit of the Fort Belknap Indian irrigation project on the Fort Belknap Indian Reservation, Montana, to the landowners within the unit.

May 14, 1970
[S. 3007]
84 Stat. 216

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to convey all of the right, title, and interest of the United States in the facilities of the Brown unit of the Fort Belknap Indian irrigation project, located in township 28 north, ranges 23 and 24 east, Montana principal meridian, including, but not limited to, easements, rights-of-way, canals, laterals, drains, structures of all kinds, and water rights held for the benefit of the unit, to an

Indians
Fort Belknap irrigation project, unit transfer.

organization or association having form and powers satisfactory to the Secretary which represents the owners of the lands served by the unit. As a condition to said conveyance, the grantee organization or association shall assume full and sole responsibility for the care, operation, and maintenance of the unit upon conveyance, and shall hold the United States free of all loss or liability for damages or injuries, direct or consequential, caused by the existence or operation of the unit or any of its features or structures, from and after the date of its conveyance.

Condition.

Cancellation of charges.

SEC. 2. Upon conveyance of the Brown unit of the Fort Belknap Indian irrigation project as provided for in section 1 of this Act, the Secretary is authorized to cancel all accrued operation and maintenance charges and all construction charges with respect to the said unit.

Approved, May 14, 1970.

PUBLIC LAW 91-258

AN ACT

May 21, 1970
[H. R. 14465]
84 Stat. 219

To provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Aviation facilities, expansion and improvement; revenue.

TITLE I—AIRPORT AND AIRWAY DEVELOPMENT ACT OF 1970

SECTION 1. SHORT TITLE.

This title may be cited as the "Airport and Airway Development Act of 1970".

* * *

1228 ⊥SEC. 17. UNITED STATES SHARE OF PROJECT COSTS.

* * *

(b) PROJECTS IN PUBLIC LAND STATES.—In the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands (individual and tribal) exceeding 5 per centum of the total area of all lands therein, the United States share under subsection (a) shall be increased by whichever is the smaller of the following percentages thereof: (1) 25 per centum, or (2) a percentage equal to one-half of the percentage that the area of all such lands in that State is of its total area.

* * *

1232 ⊥SEC. 23. USE OF GOVERNMENT-OWNED LANDS.

* * *

(c) EXEMPTION OF CERTAIN LANDS.—Unless otherwise specifically provided by law, the provisions of subsections (a) and (b) of this section shall not apply with respect to lands owned or controlled by the United States within any national park, national monument, national recreation area, or similar area under the administration of the National Park Service; within any unit of the National Wildlife Refuge System or similar area under the jurisdiction of the Bureau of Sport Fisheries and Wildlife; or within any national forest or Indian reservation.

* * *

Approved, May 21, 1970.

PUBLIC LAW 91-259

AN ACT

To provide for the disposition of judgment funds of the Confederated Tribes of the Umatilla Indian Reservation.

May 21, 1970
[H. R. 9477]
84 Stat. 253

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the entire unexpended balance of funds that were appropriated by the Act of May 13, 1966 (80 Stat. 141) to pay a judgment by the Indian Claims ⊥Commission entered in docket numbers 264, 264A, and 264B in favor of the Confederated Tribes of the Umatilla Indian Reservation, and the interest thereon, less litigation expenses, estimated costs of distribution, and $200,000 to be used as provided in section 5 of this Act, shall be distributed, per capita, in equal shares to all eligible members of the Confederated Tribes as defined in this Act under such terms and conditions as are authorized by the tribal governing body and approved by the Secretary of the Interior, including the establishment of trusts for minors and incompetents. Payments to heirs or legatees shall be made upon proof of death and inheritance satisfactory to the Secretary, whose findings shall be final and conclusive. Such per capita distribution shall be made in three installments of approximately equal amount, the first installment to be made as soon as possible after the date of this Act and the next two installments to be made at six-month intervals.

Indians.
Umatilla Reservation, Oreg.
Judgment funds, disposition.
⊥254

SEC. 2. The persons eligible to receive such per capita payments shall be all persons who were living on December 17, 1965, and whose names appear on any of the following:

Eligibility.

(a) The membership roll of the Confederated Tribes as of June 15, 1957, as approved by the Bureau of Indian Affairs on January 10, 1958, or

(b) The supplemental membership roll as of April 12, 1960, approved by the Bureau of Indian Affairs on January 27, 1961, and also any other persons born after July 1, 1949, and living on or at any time between December 17, 1965, and the date of this Act who were either enrolled as of the date of this Act or became entitled to enrollment under section (b), article IV of the constitution and bylaws of the Confederated Tribes adopted November 4, 1949, as determined by the Secretary of the Interior or his authorized representative.

SEC. 3. Until distributed such funds shall remain tribal funds and the shares herein designated for the eligible members shall constitute inheritable property from and after December 17, 1965.

SEC. 4. The per capita distributions of such funds shall not be subject to Federal or State income tax.

Income tax exemption.

SEC. 5. The $200,000 withheld from per capita distribution pursuant to section 1 of this Act shall be invested or placed in trust with an institutional trustee by the Secretary of the Interior, under terms and conditions approved by the tribal governing body. The income from the investment or trust, together with such invasions of the principal or trust corpus as the Secretary deems desirable, shall be used for the education of members of the tribe until such time as the tribal governing body, with the approval of the Secretary, determines that the funds should be used in some other manner.

Education fund.

Approved, May 21, 1970.

PUBLIC LAW 91-264

AN ACT

To further the economic advancement and general welfare of the Hopi Indian Tribe of the State of Arizona.

May 22, 1970
[H. R. 4869]
84 Stat. 260

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose

Indians.
Hopi Tribe, Arizona

of assisting in the economic advancement and contributing to the general welfare of the Hopi Indian Tribe of Arizona, the Congress hereby finds it to be fitting and appropriate to provide the Hopi Tribal Council with certain powers of self-determination that are necessary to enable the Hopi people to carry out the effective development and operation of the Hopi Industrial Park, which is located in the counties of Navajo and Coconino in the State of Arizona.

Delegation of powers.

SEC. 2. The Hopi Tribal Council shall have the following powers:

(a) To sell any part of the lands within the Hopi Industrial Park.

(b) To execute mortgages upon, or deeds of trust to, the lands within said Hopi Industrial Park. Such lands shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of the State of Arizona. The United States shall be an indispensable party to, and may be joined in, any such proceeding involving said lands with the right to remove the action to the United States district court for the district in which the land is situated, according to the procedure in section 1446, of title 28, United States Code, and the United States shall have the right to appeal from any order of remand entered in such action.

62 Stat. 939; 79 Stat. 887.

(c) To pledge any revenue or other income from lands within said Hopi Industrial Park, and the improvements situated thereon, and any ⊥other revenue or income that may be available to the Hopi Tribe without regard to source, to secure any indebtedness of the Hopi Tribe incurred in the development of said Hopi Industrial Park, and any action to enforce said pledge shall be in accordance with the laws of the State of Arizona, and the United States shall be an indispensable party thereto to the same extent and under the same conditions as hereinbefore provided in the case of mortgage foreclosures.

⊥261

(d) To issue bonds for and on behalf of the Hopi Tribe, and pay the costs thereof, to accomplish the purposes of this Act, in one or more series, in such denomination or denominations, maturing at such time or times, and in such amount or amounts, bearing interest at such rate or rates, in such form either coupon or registered, to be executed in such manner, payable in such medium of payment, at such place or places, subject to such terms of redemption, with or without premium, and containing such other restrictive terms as may be provided by tribal ordinance. Such bonds may be sold at not less than par at either public or private sale and shall be fully negotiable.

(e) To appoint a bank or trust company with its home office in the State of Arizona having an officially reported combined capital, surplus, undivided profits and reserves aggregating not less than $10,000,000 as trustee for all of the purposes provided in the ordinance authorizing and creating any issue of bonds. Any trustee so appointed may be authorized to commence an action for and on behalf of, or on relation of, the Hopi Tribe to enforce any obligation to the tribe pledged to secure payment of the bonds without joining the United States as a party thereto.

(f) To enter into any business venture as a shareholder of a corporation issuing nonassessable stock, or as a limited partner with any corporation, firm or person operating within said Hopi Industrial Park.

(g) To lease lands within the Hopi Industrial Park, any other tribal lands, and the improvements thereon, in accordance with the provisions of Federal laws.

Secretary of Interior, approval.

SEC. 3. The exercise of all powers granted the Hopi Tribal Council by this Act shall be subject to the approval of the Secretary of the Interior, or his duly authorized representatives.

SEC. 4. Bonds issued by authority of this Act and bearing the signatures of tribal officers in office on the date of the signing thereof shall be valid and binding obligations, notwithstanding that before the delivery thereof and payment therefor any or all of the persons whose

signatures appear thereon have ceased to be officers of the Hopi Tribal Council.

SEC. 5. All bonds issued by the Hopi Tribal Council for and on behalf of the Hopi Tribe and the interest provided in said bonds shall be exempt from taxation to the same extent they would have been exempt if the bonds had been issued by the State of Arizona or a political subdivision thereof.

SEC. 6. Any securities issued by the Hopi Tribal Council (including any guarantee by such council), and any securities guaranteed by the council as to both principal and interest, shall be deemed to be exempted securities within the meaning of paragraph (a) (2) of section 3 of the Act of May 27, 1933, as amended (15 U. S. C. 77c), and paragraph (a) (12) of section 3 of the Act of June 6, 1934, as amended (15 U. S. C. 78c), and shall be exempt from all registration requirements of said Acts. Exempted securities. 48 Stat. 906. 48 Stat. 882.

Approved, May 22, 1970.

PUBLIC LAW 91-274

AN ACT

To amend the Act entitled "An Act to authorize the partition or sale of inherited interests in allotted lands in the Tulalip Reservation, Washington, and for other purposes", approved June 18, 1956 (70 Stat. 290). June 2, 1970 [H. R. 11372] 84 Stat. 301

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to authorize the partition or sale of inherited interests in allotted lands in the Tulalip Reservation, Washington, and for other purposes", approved June 18, 1956 (70 Stat. 290, 25 U. S. C. 403a–2), is amended to read as follows: Tulalip Reservation, Wash. Lands.

⊥"SEC. 2. (a) Notwithstanding the provisions of the constitution and charter of the Tulalip Tribes of the Tulalip Reservation, any lands that are held by the United States in trust for the Tulalip Tribes, or that are subject to a restriction against alienation or taxation imposed by the United States, or that are on and after June 18, 1956, acquired by the Tulalip Tribes, may be sold by the Tulalip Tribes, with the consent of the Secretary of the Interior, on such terms and conditions as the Tulalip board of directors may prescribe, and such sale shall terminate the Federal trust or restrictions against alienation or taxation of the land; except that the trust or restricted status of said lands may be retained, upon approval of the Secretary of the Interior, in any sale thereof to any member of the Tulalip Tribes. ⊥302

"(b) The Secretary of the Interior may accept any transfer of title from the Tulalip Tribes for any land or fractional interest in land within the boundaries of the Tulalip Reservation, and take title to such land in the name of the United States in trust for the Tulalip Tribes, and such lands shall not be subject to taxation. Lands in trust.

"(c) The Tulalip Tribes may, with the approval of the Secretary of the Interior, execute mortgages or deeds of trust to land, the title to which is held by the Tulalip Tribes or by the United States in trust for the Tulalip Tribes. Such land shall be subject to foreclosure and sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of the State of Washington. For the purpose of any foreclosure or sale proceeding, the Tulalip Tribes shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the foreclosure or sale proceeding, and any conveyance of the land pursuant to the foreclosure or sale proceeding shall divest the United States of title to the land. Title to any land redeemed or acquired by the Tulalip Tribes at such foreclosure or sale proceeding shall be taken in the name of the United States in trust for the tribes. Title to any land purchased by an individual Indian member of the Tulalip Tribes at such foreclosure Mortgages.

sale or proceeding may, with the consent of the Secretary of the Interior, be taken in the name of the United States in trust for the individual Indian purchaser.

Moneys or credits

"(d) Any moneys or credits received or credited to the Tulalip Tribes from the sale, exchange, mortgage, or granting of any security interest in any tribal land may be used for any tribal purpose."

Long term leases
81 Stat. 559.

SEC. 2. The first section of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U. S. C. 415), is amended by inserting after "the Gila River Reservation," the following: "the Tulalip Indian Reservation,".

73 Stat. 597, Post, p. 303

SEC. 3. Section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U. S. C. 415), is redesignated as subsection 1 (a) and a new subsection 1 (b) is added as follows:

"(b) Any lease by the Tulalip Tribes under subsection (a) of this section, except a lease for the exploitation of any natural resource, shall not require the approval of the Secretary of the Interior (1) if the term of the lease does not exceed fifteen years, with no option to renew, or (2) if the term of the lease does not exceed thirty years, with no option to renew, and the lease is executed pursuant to tribal regulations previously approved by the Secretary of the Interior."

Approved, June 2, 1970.

PUBLIC LAW 91-275

AN ACT

June 2, 1970
[H. R. 12878]
84 Stat. 303

To amend the Act of August 9, 1955, to authorize longer term leases of Indian lands at the Yavapai-Prescott Community Reservation in Arizona.

Indian lands, Ariz.
Long term leases
81 Stat. 560

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U. S. C. 415), is hereby further amended by inserting the words "Yavapai-Prescott Community Reservation," after the words "San Carlos Apache Reservation,".

Ante, p. 302

SEC. 2. Section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended, is further amended by adding the following new sentence at the end thereof: "Prior to approval of any lease or extension of an existing lease pursuant to this section, the Secretary of the Interior shall first satisfy himself that adequate consideration has been given to the relationship between the use of the leased lands and the use of neighboring lands; the height, quality, and safety of any structures or other facilities to be constructed on such lands; the availability of police and fire protection and other services; the availability of judicial forums for all criminal and civil causes arising on the leased lands; and the effect on the environment of the uses to which the leased lands will be subject.".

Approved, June 2, 1970.

PUBLIC LAW 91-283

AN ACT

June 19, 1970
[H. R. 10184]
84 Stat. 313

To provide for the disposition of judgment funds of the Sioux Tribe of the Fort Peck Indian Reservation, Montana.

Sioux Tribe, Fort Peck Indian Reservation, Mont.
Judgment funds, disposition

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds appropriated by the Act of October 21, 1968 (82 Stat. 1190, 1198), to pay a judgment to the Sioux Tribe of the Fort Peck Reservation, Montana, in Indian Claims Commission Docket Numbered 279A and the interest thereon, after payment of attorney's fees and all appropriate expenses, and after deducting $50,000 to be used as provided in section 5 of this Act, and after deducting the estimated costs of distribution, shall be distributed per capita to each person born on or before, and living on, the date of this Act who is a citizen of the United States and

duly enrolled, on a roll approved by the Secretary of the Interior, as a member of the Sioux Tribe of the Fort Peck Reservation, in accordance with eligibility requirements and procedures agreed upon by the Secretary of the Interior and the tribe, or its authorized representatives.

Per capita shares

SEC. 2. The per capita shares shall be determined on the basis of the number of persons eligible for per capitas and the number of persons rejected for per capitas who have taken a timely appeal. The shares of those persons whose appeals are denied shall revert to the Sioux Tribe of the Fort Peck Reservation, Montana, to be expended for any purpose designated by the tribe and approved by the Secretary.

Minor enrollees, protection of interests

SEC. 3. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary of the Interior determines appropriate to protect the best interests of such persons.

Tax exemptions

SEC. 4. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

SEC. 5. Upon agreement by the Fort Peck Sioux Tribe and the Fort Peck Assiniboine Tribe on the amount each agrees to contribute from any award to each tribe in Indian Claims Commission Docket No. 279A, the agreed contribution of the Fort Peck Sioux Tribe shall be withdrawn from the $50,000, and interest thereon, withheld from per capita distribution pursuant to section 1 of this Act, and credited to the joint account for expenditure pursuant to the Act of June 29, 1954 (68 Stat. 329): *Provided,* That upon request of the Fort Peck Sioux Tribe the Secretary of the Interior in his discretion may distribute all or part of the aforesaid $50,000 and interest thereon per capita to each person eligible under section 1 of this Act.

Approved, June 19, 1970.

PUBLIC LAW 91-290

AN ACT

To further extend the period of restrictions on lands of the Quapaw Indians, Oklahoma, and for other purposes.

June 25, 1970
[S. 887]
84 Stat. 325

Quapaw Indians, Okla.
Land restrictions, extension

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the existing restrictions, tax exemptions, and limitations affecting lands of Quapaw Indians in Oklahoma that were extended to March 3, 1971, by the Act of July 27, 1939 (53 Stat. 1127), are hereby extended for a further period of twenty-five years from the date on which such restrictions, tax exemptions, and limitations would otherwise expire.

Approved, June 25, 1970.

PUBLIC LAW 91-305

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1970, and for other purposes.

July 6, 1970
[H. R. 17399]
84 Stat. 376

Second Supplemental Appropriations Act, 1970.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriations Act, 1970") for the fiscal year ending June 30, 1970, and for other purposes, namely:

* * *

⊥CHAPTER VI—DEPARTMENT OF THE INTERIOR

⊥380

* * *

BUREAU OF INDIAN AFFAIRS

RESOURCES MANAGEMENT

For an additional amount for "Resources management," $700,000.

* * *

1386 ⊥TITLE II—INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1970, for increased pay costs authorized by or pursuant to law, as follows:

* * *

1393 ⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

* * *

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

* * *

"Indian health services", $4,464,000, to be derived by transfer from the appropriation for "National Institute of General Medical Sciences", fiscal year 1970:

* * *

1395 ⊥DEPARTMENT OF THE INTERIOR

* * *

BUREAU OF INDIAN AFFAIRS

"Education and welfare services", $9,799,000;
"Resources management", $4,378,000;
"General administrative expenses", $500,000;

Approved, July 6, 1970.

PUBLIC LAW 91-335

AN ACT

July 13, 1970
[H. R. 12858]
84 Stat. 431

To provide for the disposition of certain funds awarded to the Tlingit and Haida Indians of Alaska by a judgment entered by the Court of Claims against the United States.

Tlingit and Haida Indians
Judgment funds

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended funds and interest thereon on deposit in the Treasury of the United States to the credit of and otherwise invested by the Secretary of the Interior for the account of the Tlingit and Haida Indians of Alaska which were appropriated by the Act of July 9, 1968 (82 Stat. 307), to pay the judgment of the Court of Claims in the case entitled The Tlingit and Haida Indians of Alaska, et al. versus The United States, numbered 47900, after payment of attorney fees and expenses, may be advanced, expended, invested or used for any purpose and in any manner authorized by the Central Council of the Tlingit and Haida Indians of Alaska and approved by the Secretary of the Interior. Any of such funds that may be distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

Approved, July 13, 1970.

PUBLIC LAW 91-361

AN ACT

July 31, 1970
[H. R. 17619]
84 Stat. 669

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

Department of the Interior and Related Agencies Appropriation Act, 1971.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related

agencies for the fiscal year ending June 30, 1971, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

* * *

⊥Bureau of Indian Affairs ⊥671

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops; $217,615,000.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts, as authorized by law; $64,622,000.

⊥CONSTRUCTION ⊥671

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; $19,885,000, to remain available until expended: *Provided,* That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, and Utah outside of the boundaries of existing Indian reservations except lands authorized by law to be acquired for the Navajo Indian Irrigation Project: *Provided further,* That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations except such lands as may be required for replacement of the Wild Horse Dam in the State of Nevada: *Provided further,* That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further,* That not to exceed $150,000 shall be for assistance to the Wagner, South Dakota, East Charles Mix Independent School District No. 102, for planning an addition to the district school facilities: *Provided further,* That not to exceed $365,000 may be used for enlargement, remodeling, and improving the Sioux Indian Museum and Crafts Center, Rapid City, South Dakota.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORITY)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, $20,200,000, to remain available until expended. 72 Stat. 906; 76 Stat. 1117

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bu-

reau of Indian Affairs, including such expenses in field offices, $5,600,000.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a curator for the Osage Museum, who shall be appointed with the approval of the Osage Tribal Council and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the ⊥current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided further*, That nothing contained in this paragraph or in any other provision of law shall be construed to authorize the expenditure of funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims, except for such amounts as may be necessary to pay attorney fees, expenses of litigation, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds will be used: *Provided further*, That the limitations contained in the foregoing paragraph shall not apply to any judgment proceeds or other funds, revenues or receipts, due the Shoshone Indian Tribe of the Wind River Reservation, Wyoming, and any such funds may be distributed to them under the provisions of the Act of May 19, 1947, as amended (25 U. S. C. 611–613): *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada and Oregon, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation.

18 U. S. C. 1124 and note.

1672

61 Stat. 102; 72 Stat. 541

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed thirty-one passenger motor vehicles for replacement only, including thirty for police-type use which may exceed by $400 each the general purchase price limitation for the current year, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U. S. C. 452), the Act of August 3, 1956 (70 Stat. 986), and legislation terminating Federal supervision over certain Indian tribes; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458
82 Stat. 4
25 U. S. C. 309, 309a

* * *

⊥GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR ⊥680

Emergency reconstruction.

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted.

Forest or range fires

SEC. 102. The Secretary may authorize the expenditure or transfer of any appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under jurisdiction of the Department of the Interior: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently av able at the time of receipt thereof.

Operation of warehouses, etc.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by the Act of June 30, 1932 (31 U. S. C. 686): *Provided*, That reimbursements for costs of supplies, materials and equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

47 Stat. 417

Employment of experts, etc.

SEC. 104. Appropriations made to the Department of the Interior in this title or in the Public Works for Water, Pollution Control, and Power Development and Atomic Energy Commission Appropriation Act, 1971, shall be available for services as authorized by 5 U. S. C. 3109, when authorized by the Secretary, in total amount not to exceed $300,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; air-conditioning equipment for passenger motor vehicles authorized to be purchased during the current fiscal year in excess of the general purchase price limitation; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to mem-⊥bers only or at a price to members lower than to subscribers who are not members. ⊥681

80 Stat. 416

Uniforms.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U. S. C. 5901–5902 and D.C. Code 1–204).

80 Stat. 508, 81 Stat. 206.
43 Stat. 175.

TITLE II—RELATED AGENCIES

⊥DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ⊥683

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

INDIAN HEALTH SERVICES

For expenses necessary to enable the Secretary of Health, Education, and Welfare to carry out the purposes of the Act of August 5,

42 U. S. C. 2001, 2004a

1954 (68 Stat. 674), as amended; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 301 (with respect to research conducted at facilities financed by this appropriation), 311, 321, 322 (d), 324, 328, and 509 of the Public Health Service Act; $117,986,000.

58 Stat. 691, 81 Stat. 539
42 U. S. C. 241, 243, 248, 249, 251, 254a, 227.

INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U. S. C. 2004a); $18,715,000, to remain available until expended.

73 Stat. 267.

* * *

INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U. S. C. 70), as amended (81 Stat. 11), creating an Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U. S. C. 2004a); $18,715,000, to remain available until expended.

60 Stat. 1049.

Approved, July 31, 1970.

PUBLIC LAW 91-362

AN ACT

July 31, 1970
[S. 759]

To declare that the United States holds in trust for the Washoe Tribe of Indians certain lands in Alpine County, California.

84 Stat. 687

Washoe Indian Tribe, Calif.
Lands held in trust.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the following described public domain land located in Alpine County, California, are hereby declared to be held by the United States in trust for the Washoe Tribe of Nevada and California:

Southeast quarter southeast quarter of section 20 and the northeast quarter northeast quarter of section 29, all in township 11 north, range 20 east, Mount Diablo base and meridian, Alpine County, California, containing 80 acres.

SEC. 2. The amount expended by the United States to acquire the land granted by this Act, as determined by the Secretary of the Interior, shall be deducted from any appropriation that is made to satisfy a judgment by the Indian Claims Commission in docket numbered 288 in which the Washoe Tribe of Nevada and California is entitled to share, and the amount deducted shall be deposited in the miscellaneous receipts of the Treasury.

Approved, July 31, 1970.

PUBLIC LAW 91-364

AN ACT

July 31, 1970
[S. 885]

To authorize the preparation of a roll of persons whose lineal ancestors were members of the Confederated Tribes of Weas, Piankashaws, Peorias, and Kaskaskias, merged under the Treaty of May 30, 1854 (10 Stat. 1082), and to provide for the disposition of funds appropriated to pay a judgment in Indian Claims Commission Dockets Numbered 314, amended, 314-E and 65, and for other purposes.

84 Stat. 688

Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secre-

tary of the Interior shall prepare a roll of all persons who meet the following requirements: (1) they were born on or prior to and were living on the date of this Act; (2) their names or the name of a lineal ancestor from whom they claim eligibility appears on (a) the final roll of the Peoria Tribe of Indians of Oklahoma, pursuant to the Act of August 2, 1956 (70 Stat. 937), or (b) the January 1, 1937, census of the Peoria Tribe, or (c) the 1920 census of the Peoria Tribe, or (d) the Indian or Citizen Class lists pursuant to the Treaty of February 23, 1867 (15 Stat. 520), or (e) the Schedule of Persons or Families composing the United Tribes of Weas, Piankashaws, Peorias, and Kaskaskias, annexed to the Treaty of May 30, 1854.

Confederated Tribes of Weas, Piankashaws, Peorias, and Kaskaskias, roll of the, 1937 census.

25 U. S. C. 821–826.

10 Stat. 1082.

(b) Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Muskogee, Oklahoma, in the manner and within the time limits prescribed for that purpose by the Secretary of the Interior. The determination of the Secretary regarding the eligibility of an applicant shall be final.

SEC. 2. After the deduction of attorneys' fees and expenses and the administrative costs involved in the preparation of the roll and the distribution of the individual shares, the remaining funds on deposit in the United States Treasury to the credit of the Peoria Tribe on behalf of the Wea Nation that were appropriated by the Acts of May 13, 1966 (80 Stat. 141, 150), and June 19, 1968 (82 Stat. 239), in satisfaction of judgments that were obtained by the Peoria Tribe on behalf of the Wea Nation in Indian Claims Commission dockets numbered 314, amended, and 314–E, respectively, and the funds to the credit of the Peoria Tribe of Oklahoma on behalf of the Wea, Piankashaw, Peoria, and Kaskaskia Nations that were appropriated by the Act of July 22, 1969 (83 Stat. 49, 62), in satisfaction of a judgment in docket numbered 65, shall be disposed of in the following manner: The Secretary shall pay $3,000 of such funds to the Peoria Tribe of Oklahoma for improvement and maintenance of the Peoria Indian Cemetery located approximately ten miles northeast of Miami, Oklahoma, and shall distribute the balance of such funds in equal shares to those persons whose names appear on the roll prepared pursuant to section 1 of this Act.

Judgment funds, disposition.

SEC. 3. (a) Except as provided in subsection (b) of this section, the Secretary shall distribute a share payable to a living enrollee directly to such enrollee and the Secretary shall distribute a per capita share of a deceased enrollee directly to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) A share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary determines will adequately protect the best interest of such person.

SEC. 4. Funds that may hereafter be deposited in the United States Treasury to the credit of the Peoria Tribe on behalf of the Wea, Kaskaskia, Piankashaw, or Peoria Nation, to pay any judgment arising out of proceedings presently pending before the Indian Claims Commission in dockets numbered 99, 289, 313, 314–A, B, C, and D, and 338 and the interest accrued thereon, after payment of attorneys' fees and expenses and all costs incident to bringing the roll current as provided is this section and distributing the shares, shall be distributed on a per capita basis in accordance with section 3 of this Act to persons whose names appear on the roll prepared under section 1, after the roll has been brought current to the date the funds are appropriated by adding names of persons to the roll who were born after the date of this Act, but on or prior to and living on the date the funds are appropriated, and by deleting names of enrollees who died between the effective date of this Act and the date the funds are appropriated.

Subsequent judgment funds, distribution.

1689

Income tax exemption.

SEC. 5. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

SEC. 6. Any per capita share, whether payable to a living enrollee or to the heirs or legatees of a deceased enrollee, which the Secretary of the Interior is unable to deliver within two years after the date the check is issued, and all unexpended tribal and judgment funds set aside for tribal roll preparation and distribution, shall revert to the Peoria Tribe, and all claims for such per capita shall thereafter be barred forever.

SEC. 7. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, July 31, 1970.

PUBLIC LAW 91-386

AN ACT

August 24, 1970
[H. R. 15866]
84 Stat. 828

To repeal the Act of August 25, 1959, with respect to the final disposition of the affairs of the Choctaw Tribe.

Choctaw Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 25, 1959 (73 Stat. 420), as amended, is repealed.

Repeal
25 U. S. C. 655 note

SEC. 2. Repeal of the Act of August 25, 1959, shall not be construed to abrogate, impair, annul, or otherwise affect any right or interest which may have vested under the provisions of said Act nor shall repeal affect any legal action pending on the date of enactment of this Act.

Approved, August 24, 1970.

PUBLIC LAW 91-400

AN ACT

September 16, 1970
[H. R. 13434]
84 Stat. 838

To provide for the disposition of judgment funds on deposit to the credit of the Hualapai Tribe of the Hualapai Reservation, Arizona, in Indian Claims Commission Dockets Numbered 90 and 122, and for other purposes.

Hualapai Tribe, Ariz.
Judgment funds, disposition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Hualapai Tribe of Indians that were appropriated to pay a judgment granted by the Indian Claims Commission in dockets Numbered 90 and 122, and the interest thereon, less payment of attorney fees and expenses, may be advanced, expended, invested or reinvested for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior.

Tax exemption.

SEC. 2. Any part of such funds that may be distributed to members of the tribe shall not be subject to Federal or State income tax.

SEC. 3. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved, September 16, 1970.

PUBLIC LAW 91-401

AN ACT

September 16, 1970
[H. R. 14097]
84 Stat. 838

To authorize the use of funds arising from a judgment in favor of the Citizen Band of Potawatomi Indians of Oklahoma in Indian Claims Commission Docket No. 96, and for other purposes.

Citizen Band of Potawatomi Indians, Okla.
Judgment funds, disposition.
83 Stat. 62

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Citizen Band of Potawatomi Indians of Oklahoma that were appropriated by the Act of July 22, 1969 (Public Law 91-47) to pay a judgment by the Indian Claims Commission in docket numbered 96 dated

August 27, 1968, and the interest thereon, including the interest accruing thereon, after payment of attorney fees and expenses, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the band shall not be subject to Federal or State income tax. Tax exemption

SEC. 2. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary of the Interior determines appropriate to protect the best interests of such persons.

Approved, September 16, 1970.

PUBLIC LAW 91-403

AN ACT

To reimburse the Ute Tribe of the Uintah and Ouray Reservation for tribal funds that were used to construct, operate, and maintain the Uintah Indian irrigation project, Utah, and for other purposes.

September 18, 1970
[H. R. 16416]
84 Stat. 843

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to reimburse the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah for tribal funds that have been used for the construction, operation, and maintenance of the Uintah Indian irrigation project, Utah, computed and adjusted as follows:

Uintah Indian irrigation project, Utah. Construction costs, reimbursement.

(a) With respect to construction charges, the tribal funds originally involved amounted to $920,112.74. From that sum there shall be deducted the amount of $275,864.25, which represents a reimbursement of tribal construction funds under a judgment of the United States Court of Claims for the portion of the construction costs chargeable against non-Indian lands. From the balance so calculated, there shall be deducted an amount equal to the construction charges against irrigable land (determined according to the approved designation of 1964) which were collected from the proceeds of sales of land and deposited in the tribal accounts. From the balance so calculated there shall be deducted $1,250, which represents the tribal funds used to purchase the following described lands, title to which was taken in the name of the United States and which hereafter shall be held by the United States in trust for the tribe:

west half southwest quarter southeast quarter southeast quarter section 18, township 1 south, range 1 east, containing 5 acres;

south half southeast quarter northeast quarter northeast quarter section 36, township 1 south, range 4 west, containing 5 acres;

northeast quarter northeast quarter southwest quarter section 32, township 1 north, range 1 west, containing 10 acres; and

⊥southwest quarter southwest quarter southwest quarter southwest quarter section 12, township 1 south, range 4 west, containing 2.5 acres, all in Uintah special base and meridian, Utah. 1844

The balance so calculated shall be increased by adding interest on the amounts that comprise the $920,112.74 from the end of the year in which each amount was originally used for the project to January 28, 1958, the date of the Court of Claims judgment, and interest from January 28, 1958, to the date of this Act on $920,112.74 adjusted by the deductions provided for in the foregoing provisions of this subsection.

(b) With respect to operation and maintenance charges, the tribal funds originally involved amounted to $529,828.20. From that sum

there shall be deducted the amount of $158,856.17, which represents a reimbursement of tribal operation and maintenance funds under a judgment of the United States Court of Claims for the portion of the operation and maintenance costs chargeable against non-Indian lands. From the balance so calculated, there shall be deducted an amount equal to the operation and maintenance charges against irrigable land (determined according to the approved designation of 1964) which were collected from the proceeds of sales of land and other sources and deposited in the tribal accounts. The balance so calculated shall be increased by adding interest on the amounts that comprise the $529,828.20 from the end of the year in which each amount was originally used for the project to January 28, 1958, the date of the Court of Claims judgment, and interest on the amounts that comprise the balance calculated pursuant to the first three sentences of this subsection, from January 28, 1958, or the end of the year in which each amount was used for the project to the date of this Act.

SEC. 2. The Secretary of the Interior is authorized to reimburse Indians and former members of the Ute Indian Tribe of the Uintah and Ouray Reservation terminated by the Act of August 27, 1954 (68 Stat. 868) who sold project lands that were nonirrigable (determined according to the approved designation of 1964) for the construction, operation, and maintenance charges which were collected from the proceeds of such sales.

70 Stat. 936; 76 Stat. 597

Mixed-blood members, payment

SEC. 3. Twenty-seven and one hundred and sixty-two one-thousandths per centum (27.162 per centum) of the sum determined to be due the tribe under section 1 hereof shall be paid by the Secretary of the Interior, notwithstanding any other provision of law, to the persons whose names appear on the roll of mixed-blood members that was prepared pursuant to section 8 of the Act of August 27, 1954, or to their heirs or legatees, under such rules as the Secretary may prescribe. All claims for payment by mixed-bloods shall be filed not later than three years from the date of this Act. Thereafter, all claims and the right to file the same shall be forever barred and the unclaimed shares shall revert to the Ute Indian Tribe of the Uintah and Ouray Reservation.

SEC. 4. No part of any of the funds appropriated in accordance with the provisions of this Act shall be subject to attorneys' fees.

Construction.

SEC. 5. Reimbursement of the Ute Indian Tribe, its members, or its former members, as provided in this Act shall be regarded as a gratuity, shall not be regarded as the settlement of a claim against the United States, shall not be recognized as the basis for any claim against the United States, and shall not prejudice any litigation now pending.

Approved, September 18, 1970.

PUBLIC LAW 91-404

AN ACT

September 19, 1970
[H. R. 14827]
84 Stat. 845

To provide for the disposition of funds to pay a judgment in favor of the Sac and Fox Tribes of Oklahoma in Indian Claims Commission docket numbered 220, and for other purposes.

Sac and Fox Tribes, Okla.
Judgment funds, disposition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds appropriated by the Act of June 19, 1968 (82 Stat. 239), to pay a judgment by the Indian Claims Commission in docket numbered 220, together with interest thereon, after payment of attorneys' fees and other litigation expenses, may be advanced, deposited, expended, invested, or reinvested for any purposes that are authorized by the tribal governing body and approved by the Secretary of the Interior.

Tax exemption.

SEC. 2. Any portion of such funds that may be distributed per capita

to members of the tribe shall not be subject to Federal or State income tax.

Approved, September 19, 1970.

PUBLIC LAW 91-413

AN ACT

To provide for the disposition of funds appropriated to pay judgments in favor of the Yakima Tribes in Indian Claims Commission dockets numbered 47-A, 162, and consolidated 47 and 164, and for other purposes.

September 25, 1970
[S. 3337]
84 Stat. 865

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds appropriated by the Act of October 31, 1965 (79 Stat. 1133, 1152), to pay judgments to the Yakima Tribes of the Yakima Reservation in Indian Claims Commission docket numbered 47-A and 162, and by the Act of July 22, 1969 (83 Stat. 49), in consolidated dockets 47 and 164, together with interests thereon, after payment of attorney fees and litigation expenses, may be advanced, expended, invested, or reinvested for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior.

Yakima Tribes
Yakima Reservation Judgment funds, disposition.

SEC. 2. Any part of such funds that may be distributed per capita under the provisions of this Act shall not be subject to Federal or State income tax; and any per capita share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary determines will adequately protect the best interest of such persons.

Tax exemption

Approved, September 25, 1970.

PUBLIC LAW 91-416

AN ACT

To amend the Act of June 13, 1962 (76 Stat. 96), with respect to the Navajo Indian irrigation project.

September 25, 1970
[S. 203]
84 Stat. 867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 13, 1962 (76 Stat. 96), is amended as follows:

Navajo Indian irrigation project.
43 U. S. C. 615ii-615yy.

(a) By deleting "and" in the first sentence of section 3 (a) immediately preceding "townships 27" and by inserting immediately preceding "New Mexico principal meridian", the following: "townships 26 and 27 north, range 11 west, and townships 24, 25, and 26 north, ranges 12 and 13 west,";

(b) By deleting "$135,000,000 (June 1961 prices)" in the first sentence of section 7 and substituting in lieu thereof "$206,000,000 (April 1970 prices)"; and

(c) By adding the following subsection to section 3:

"(d) Each permit that is in effect on lands declared to be held in trust for the Navajo Tribe pursuant to section 3 (a) of this Act shall continue in effect for the term thereof unless the land is needed for irrigation purposes, subject to regulations applicable to permits of Indian lands, and upon its expiration it shall only be renewed on an annual basis until the land is required for irrigation purposes. When, in the judgment of the Secretary of the Interior, such land is required for irrigation purposes, the Secretary shall notify the permittee and the permit shall be deemed to be canceled, with no right of appeal. The permittee shall be compensated by the Navajo Tribe for the reasonable value of any range improvements of a permanent nature placed on the lands under authority of a permit or agreement with the United States, as determined by the Secretary of the Interior. Amounts paid to the United States by the Navajo Tribe out of

tribal funds for the full appraised value of lands declared to be held in trust for the Navajo Tribe pursuant to section 3 (a) of this Act shall be reduced by the amount of compensation paid by the Navajo Tribe to permittees pursuant to this subsection."

SEC. 2. The Navajo Indian irrigation project shall be operated in such manner that identifiable flows of water will not cause the project to be in violation of water quality standards promulgated pursuant to the Water Quality Act of 1965 (79 Stat. 903).

33 U. S. C. 466 note.

Approved, September 25, 1970.

PUBLIC LAW 91-417

AN ACT

September 25, 1970
[S. 4033]

To provide for the disposition of funds appropriated to pay a judgment in favor of the Chemehuevi Tribe of Indians

84 Stat. 868

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Chemehuevi Tribe of Indians which were appropriated (by the Act entitled "An Act making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes", approved April 30, 1965 (79 Stat. 81)), to pay the judgment awarded by the Indian Claims Commission (dockets numbered 351 and 351–A), together with interest thereon, shall be distributed by the Secretary of the Interior (hereafter in this Act referred to as "Secretary") in equal shares to those persons whose names appear on the roll prepared in accordance with section 2 of this Act.

Chemehuevi Tribe of Indians.
Judgment fund, disposition.

SEC. 2. (a) (1) The Secretary shall prepare a roll of all persons—

(A) who were born on or prior to and living on the date of enactment of this Act;

(B) who are lineal descendants of members of the Chemehuevi Tribe as it existed in 1860; and

(C) whose name or the name of a lineal ancestor appears as a Chemehuevi Indian on any available census roll or other record or evidence acceptable to the Secretary.

Roll.

(2) Applications for enrollment must be filed in the manner and within the time limits prescribed by the Secretary for that purpose. The determination of the Secretary regarding the utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

Enrollment applications, filing.

(b) Any person who has applied for and has been determined as eligible to share in the awards granted by the Indian Claims Commission in dockets numbered 88, 330, and 330–A, to the Southern Paiute Indian Nation or in dockets numbered 31, 37, 80, 80–D, 176, 215, 333, and 347, to "Certain Indians of California" shall not be entitled to share in the awards granted under this Act.

Ineligibility.

SEC. 3. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee. The Secretary shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary determines to be appropriate to protect their best interests.

Distribution.

SEC. 4. No part of any funds distributed under this Act shall be subject to Federal or State income taxes.

Tax exemption.

SEC. 5. The roll prepared by the Secretary of the Interior pursuant to this Act shall not be deemed to constitute the membership roll of the Chemehuevi Tribe.

SEC. 6. The Secretary may make appropriate withdrawals from the

Costs, payment.

judgment funds and interest thereon, using interest funds first, to pay costs incident to carrying out the provisions of this Act.

Approved, September 25, 1970.

PUBLIC LAW 91-420

AN ACT

To provide for the disposition of funds appropriated to pay a judgment in favor of the Confederated Bands of Ute Indians in Court of Claims case 47567, and a judgment in favor of the Ute Tribe of the Uintah and Ouray Reservation for and on behalf of the Uncompahgre Band of Ute Indians in Indian Claims Commission docket numbered 349, and for other purposes.

September 25, 1970
[S. 3997]
84 Stat. 871

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury to the credit of the Confederated Bands of Ute Indians appropriated by the Act of May 13, 1966 (80 Stat. 141), pursuant to the final judgment entered in Court of Claims case numbered 47567; and the funds on deposit to the credit of the Ute Tribe of the Uintah and Ouray Reservation, for and on behalf of the Uncompahgre Band of Ute Indians, that were appropriated by the Act of April 30, 1965 (79 Stat. 81), to pay a judgment by the Indian Claims Commission in docket numbered 349; and the interest thereon, less attorney fees and litigation expenses, shall be available for use by the respective tribes in accordance with the Act of August 21, 1951 (65 Stat. 193; 25 U. S. C. 672), the Act of August 12, 1953 (67 Stat. 540; 25 U. S. C. 674), the Act of June 28, 1954 (68 Stat. 300; 25 U. S. C. 676), and the Act of August 27, 1954 (68 Stat. 868; 25 U. S. C. 677), as amended.

Uintah and Ouray Ute tribes. Judgment funds, disposition.

SEC. 2. Any portion of the funds distributed per capita to the members of the respective tribes shall not be subject to Federal or State income tax.

Tax exemption.

Approved, September 25, 1970.

PUBLIC LAW 91-424

AN ACT

To provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes.

September 26, 1970
[S. 621]
84 Stat. 880

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to conserve and develop for the benefit, inspiration, education, recreational use, and enjoyment of the public certain significant islands and shoreline of the United States and their related geographic, scenic, and scientific values, there is hereby established the Apostle Islands National Lakeshore (hereinafter referred to as the "lakeshore") in Ashland and Bayfield Counties, Wisconsin, consisting of the area generally depicted on the map entitled "Apostle Islands National Lakeshore", numbered NL–AI–91,000, sheets 1 and 2, and dated June 1970. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior.

Apostle Islands National Lakeshore, Wis. Establishment.

SEC. 2. No lands held in trust by the United States for either the Red Cliff Band or Bad River Band of the Lake Superior Chippewa Indians, or for allottees thereof, shall be acquired or included within the boundaries of the lakeshore established by this Act, with the following exception:

Boundaries.

If the Indians who own more than 50 per centum of the interest in allotment number 74 GL or allotment number 135 in the Red Cliff Reservation agree to sell the allotment to the Secretary of the Interior (hereinafter referred to as the "Secretary"), the Secretary may consent to the sale on behalf of the other owners,

purchase the allotment for the negotiated price and revise the boundaries of the lakeshore to include the allotment.

Land acquisition.

SEC. 3. The Secretary may acquire within the boundaries of the lakeshore lands and interests therein by donation, purchase with donated or appropriated funds, or exchange, but lands and interests in lands owned by the State of Wisconsin may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within the boundaries of the lakeshore may, with the concurrence of the agency having custody thereof, be transferred without transfer of funds to the administrative jurisdiction of the Secretary for the purposes of the lakeshore.

Owners of improved property, retention rights.

SEC. 4. (a) With the exception of not more than eighty acres of land to be designated within the lakeshore boundaries by the Secretary as an administrative site, visitor center, and related facilities, as soon as practicable, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, whichever is the later. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

Termination right of Secretary.

(b) A right of use and occupancy retained pursuant to this section may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof has ⊥ceased to be used for noncommercial residential or for agricultural purposes, and upon tender to the holder of a right an amount equal to the fair market value, as of the date of the tender, of that portion of the right which remains unexpired on the date of termination.

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"Improved property."

(c) The term "improved property", as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1967 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

Hunting, fishing and trapping.

SEC. 5. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the lakeshore in accordance with the appropriate laws of Wisconsin and the United States to the extent applicable, except that he may designate zones where, and establish periods when, no hunting, trapping, or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting, trapping, and fishing activities.

Administration.

SEC. 6. The lakeshore shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U. S. C. 1, 2–4), as amended and supplemented; and the Act of April 9, 1924 (43 Stat. 90; 16 U. S. C. 8a et seq.); as amended, except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of the Act.

39 Stat. 1053; 16 U. S. C. 8.

Plan.

SEC. 7. In the administration, protection, and development of the

lakeshore, the Secretary shall adopt and implement, and may from time to time revise, a land and water use management plan which shall include specific provision for—

(a) protection of scenic, scientific, historic, geological, and archeological features contributing to public education, inspiration, and enjoyment;

(b) development of facilities to provide the benefits of public recreation together with such access roads as he deems appropriate; and

(c) preservation of the unique flora and fauna and the physiographic and geologic conditions now prevailing on the Apostle Islands within the lakeshore: *Provided,* That the Secretary may provide for the public enjoyment and understanding of the unique natural, historical, scientific, and archeological features of the Apostle Islands through the establishment of such trails, observation points, exhibits, and services as he may deem desirable.

Appropriation.

SEC. 8. There are authorized to be appropriated not more than $4,250,000 for the acquisition of lands and interests in lands and not more than $5,000,000 for the development of the Apostle Islands National Lakeshore.

Approved, September 26, 1970.

PUBLIC LAW 91-471

AN ACT

To declare that the United States holds 19.57 acres of land, more or less, in trust for the Yankton Sioux Tribe.

October 21, 1970
[H. R. 13519]
84 Stat. 1039

Yankton Sioux Tribe, S. Dak.
Lands held in trust.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to the following described federally owned land situated in the southwest quarter southwest quarter, section 26, township 94 north, range 64 west, fifth principal meridian, South Dakota, are hereby declared to be held by the United States in trust for the Yankton Sioux Tribe:

Beginning at a point 4 chains and 36 links east of the southwest corner of said section 26; running thence north 31 degrees 30 minutes east 6 chains and 52 links; thence north 58 degrees 30 minutes west 54½ links; thence north 31 degrees 31 minutes east 16 chains and 83 links; thence east 3 chains and 87 links to the northeast corner of the southwest quarter of the southwest quarter of said section 26; thence south 19 chains and 98 links to the southeast corner of said 40-acre tract; thence west 15 chains and 44 links to place of beginning; containing 19.57 acres, more or less.

Claims offset against U.S.
25 U. S. C. 70a.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

Approved, October 21, 1970.

PUBLIC LAW 91-478

AN ACT

To convey certain federally owned land to the Cherokee Tribe of Oklahoma.

October 21, 1970
[H. R. 15624]
84 Stat. 1074

Cherokee Tribe of Oklahoma.
Land conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon payment by the Cherokee Tribe of Oklahoma, as provided in section 2 of this Act, all the right, title, and interest of the United States in that part of the northwest quarter northeast quarter and southwest quarter

northeast quarter lying south of United States Highway Numbered 62, section 20, township 16 north, range 22 east, Indian meridian, Oklahoma, comprising 38.5 acres more or less, heretofore acquired for school purposes, shall vest in the Cherokee Indian Tribe of Oklahoma, and such land shall not be subject to any exemption from taxation, or restrictions on use, management, or disposition because of Indian ownership.

Payment to U.S.

SEC. 2. In full consideration for the transfer of title, the Cherokee Tribe of Oklahoma shall pay the United States $2,258.80, payment to be made to the Secretary of the Interior within ninety days after this Act is approved and deposited in the general fund of the United States Treasury.

Claims offset against U.S.
25 U.S.C. 70a

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act as of August 20, 1964, less the payment of $2,258.80 as provided in section 2, should or should not be set off against any claim the United States determined by the Commission.

Approved, October 21, 1970.

PUBLIC LAW 91-489

AN ACT

To declare that certain lands shall be held by the United States in trust for the Makah Indian Tribe, Washington.

October 22, 1970
[H. R. 9311]
84 Stat. 1086

Makah Indian Tribe, Wash.
Lands in trust

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That approximately seven hundred and nineteen acres of land, which were set apart by Executive order of April 12, 1893, as a reservation for certain Ozette Indians, are hereby declared to be held by the United States in trust for the use and benefit of the Makah Indian Tribe, Washington.

Approved, October 22, 1970.

PUBLIC LAW 91-495

AN ACT

To authorize each of the Five Civilized Tribes of Oklahoma to popularly select their principal officer, and for other purposes.

October 22, 1970
[S. 3116]
84 Stat. 1091

Five Civilized Tribes of Oklahoma
Principal chiefs, popular selection

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of law, the principal chiefs of the Cherokee, Choctaw, Creek, and Seminole Tribes of Oklahoma and the governor of the Chickasaw Tribe of Oklahoma shall be popularly selected by the respective tribes in accordance with procedures established by the officially recognized tribal spokesman and/or governing entity. Such established procedures shall be subject to approval by the Secretary of the Interior.

SEC. 2. The Secretary of the Interior or his representative is hereby authorized to assist, upon request, any of such officially recognized tribal spokesman and/or governing entity in the development and implementation of such procedures.

†1092

†SEC. 3. A principal officer selected pursuant to section 1 of this Act shall be duly recognized as the principal chief, or in the case of the Chickasaw Tribe, the governor, of that tribe.

Term of office

SEC. 4. Any principal officer currently holding office at the date of enactment of this Act shall continue to serve for a period not to exceed twelve months or until expiration of his most recent appointment, whichever is shorter, unless an earlier vacancy arises from resignation, disability, or death of the incumbent, in which case the office of principal chief or governor may be filled at the earliest possible date in accordance with section 1 of this Act.

SEC. 5. Nothing in this Act shall prevent any such incumbent referred to in section 4 of this Act from being elected as a principal chief or governor.

Approved, October 22, 1970.

PUBLIC LAW 91-501

AN ACT

To authorize the Secretary of the Interior to declare that the United States holds in trust for the Eastern Band of Cherokee Indians of North Carolina certain lands on the Cherokee Indian Reservation heretofore used for school or other purposes.

October 22, 1970
[H. R. 16811]
84 Stat. 1097

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized, upon request of the tribal council of the Eastern Band of Cherokee Indians of North Carolina, to declare by publication of a notice in the Federal Register that the United States holds in trust for said band of Indians, subject to valid existing rights, all the right, title, and interest of the United States in any of the federally owned lands within the Cherokee Indian Reservation, together with the improvements thereon, that are now or hereafter become excess to the needs of the government for the administration of Indian affairs, as determined by the Secretary of the Interior.

Cherokee Indians, N. C.
Lands in trust.

Publication in Federal Register.

Approved, October 22, 1970.

PUBLIC LAW 91-523

AN ACT

To amend section 1162 of title 18, United States Code, relating to State jurisdiction over offenses committed by or against Indians in the Indian country.

November 25, 1970
[S. 902]
84 Stat. 1358

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 1162 of title 18, United States Code, is amended by deleting the following:

Indians.
Jurisdiction in Alaska.
67 Stat. 588; 72 Stat. 545.

"Alaska ---------- All Indian country within the Territory"

and inserting in lieu thereof the following:

"Alaska ---------- All Indian country within the State, except that on Annette Islands, the Metlakatla Indian community may exercise jurisdiction over offenses committed by Indians in the same manner in which such jurisdiction may be exercised by Indian tribes in Indian country over which State jurisdiction has not been extended."

SEC. 2. Subsection (C) of section 1162 of title 18, United States Code, is amended to read as follows: "(c) The provisions of sections 1152 and 1153 of this chapter shall not be applicable within the areas of Indian country listed in subsection (a) of this section as areas over which the several States have exclusive jurisdiction."

62 Stat. 757; 63 Stat. 94

Approved, November 25, 1970.

PUBLIC LAW 91-542

AN ACT

To amend the Act of April 24, 1961, authorizing the use of judgment funds of the Nez Perce Tribe.

December 11, 1970
[H. R. 19000]
84 Stat. 1408

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 1 of the Act entitled "An Act to authorize the use of funds arising from a judgment in favor of the Nez Perce Tribe of Indians, and for other purposes," approved April 24, 1961 (75 Stat. 45), is amended by inserting after "180-A," the following: "and the funds deposited in the Treasury of the United States to pay the final judgment entered by the Indian Claims Commission on April 29, 1970 in docket 179,".

Indians.
Nez Perce Tribe, judgment funds.

SEC. 2. The last sentence of section 2 of the aforesaid Act is amended by inserting after "175" a comma and "179".

Approved, December 11, 1970.

PUBLIC LAW 91-550

AN ACT

December 15, 1970
[H. R. 471]

To amend section 4 of the Act of May 31, 1933 (48 Stat. 108).

84 Stat. 1437

Indians.
Pueblo de Taos Tribe, N. Mex.
Lands in trust

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of May 31, 1933 (48 Stat. 108), providing for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians in New Mexico, be and hereby is amended to read as follows:

"SEC. 4. (a) That, for the purpose of safeguarding the interests and welfare of the tribe of Indians known as the Pueblo de Taos of New Mexico, the following described lands and improvements thereon, upon which said Indians depend and have depended since time immemorial for water supply, forage for their domestic livestock, wood and timber for their personal use, and as the scene of certain religious ceremonials, are hereby declared to be held by the United States in trust for the Pueblo de Taos:

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⊥"Beginning at the southeast corner of the Tenorio tract on the north boundary of the Taos Pueblo grant in section 22, township 26 north, range 13 east;

"thence northwesterly and northeasterly along the east boundary of the Tenorio tract to the point where it intersects the boundary of the Lucero de Godoi or Antonio Martinez Grant;

"thence following the boundary of the Lucero de Godoi Grant northeasterly, southeasterly and northerly to station 76 on the east boundary of the survey of the Lucero de Godoi Grant according to the March 1894 survey by United States Deputy Surveyor John H. Walker as approved by the United States Surveyor's Office, Santa Fe, New Mexico, on November 23, 1894;

"thence east 0.85 mile along the south boundary of the Wheeler Peak Wilderness, according to the description dated July 1, 1965, and reported to Congress pursuant to section 3 (a) (1) of the Wilderness Act (Public Law 88-577);

78 Stat. 891.
16 U. S. C. 1132.

"thence northeast approximately 0.25 mile to the top of an unnamed peak (which is approximately 0.38 mile southeasterly from Lew Wallace Peak);

"thence northwesterly 1.63 miles along the ridgetop through Lew Wallace Peak to Old Mike Peak;

"thence easterly and northeasterly along the ridgetop of the divide between the Red River and the Rio Pueblo de Taos to station numbered 109 of said 1894 survey, at the juncture of the divide with the west boundary of the Beaubien and Miranda Grant, New Mexico (commonly known as the Maxwell Grant), according to the official resurvey of said grant executed during July and August 1923 by United States Surveyor Glen Haste and approved by the General Land Office, Washington, District of Columbia, on April 28, 1926;

"thence southeasterly, southwesterly, and southerly along the west boundary of the Maxwell grant to the north line of unsurveyed section 33, township 26 north, range 15 east;

"thence southerly to the north boundary of fractional township 25 north, range 15 east;

"thence southerly and southwesterly through sections 4, 9, 8, and 7, township 25 north, range 15 east to the southwest corner of said section 7;

"thence westerly along the divide between the Rio Pueblo de

Taos and Rio Fernando de Taos to the east boundary of the Taos Pueblo grant;

"thence north to the northeast corner of the Taos Pueblo grant;

"thence west to the point of beginning; containing approximately 48,000 acres, more or less.

"(b) The lands held in trust pursuant to this section shall be a part of the Pueblo de Taos Reservation, and shall be administered under the laws and regulations applicable to other trust Indian lands: *Provided*, That the Pueblo de Taos Indians shall use the lands for traditional purposes only, such as religious ceremonials, hunting and fishing, a source of water, forage for their domestic livestock, and wood, timber, and other natural resources for their personal use, all subject to such regulations for conservation purposes as the Secretary of the Interior may prescribe. Except for such uses, the lands shall remain forever wild and shall be maintained as a wilderness as defined in section 2 (c) of the Act of September 3, 1964 (78 Stat. 890). With the consent of the tribe, but not otherwise, nonmembers of the tribe ⊥may be permitted to enter the lands for purposes compatible with their preservation as a wilderness. The Secretary of the Interior shall be responsible for the establishment and maintenance of conservation measures for these lands, including, without limitation, protection of forests from fire, disease, insects or trespass; prevention or elimination of erosion, damaging land use, or stream pollution; and maintenance of streamflow and sanitary conditions; and the Secretary is authorized to contract with the Secretary of Agriculture for any services or materials deemed necessary to institute or carry out any of such measures.

Land usage, limitation

Wilderness.

16 U. S. C. 1131.

⊥1439

Conservation responsibility of Interior Secretary.

"(c) Lessees or permittees of lands described in subsection (a) which are not included in the lands described in the Act of May 31, 1933, shall be given the opportunity to renew their leases or permits under rules and regulations of the Secretary of the Interior to the same extent and in the same manner that such leases or permits could have been renewed if this Act had not been enacted; but the Pueblo de Taos may obtain the relinquishment of any or all of such leases or permits from the lessees or permittees under such terms and conditions as may be mutually agreeable. The Secretary of the Interior is authorized to disburse, from the tribal funds in the Treasury of the United States to the credit of said tribe, so much thereof as may be necessary to pay for such relinquishments and for the purchase of any rights or improvements on said lands owned by non-Indians. The authority to pay for the relinquishment of a permit pursuant to this subsection shall not be regarded as a recognition of any property right of the permittee in the land or its resources.

Leases or permits, renewal, relinquishment.
48 Stat. 108

"(d) The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1049, 1050), the extent to which the value of the interest in land conveyed by this Act should be credited to the United States or should be set off against any claim of the Taos Indians against the United States.

25 U. S. C. 70a

"(e) Nothing in this section shall impair any vested water rights."

Water rights.

Approved, December 15, 1970.

PUBLIC LAW 91-557

AN ACT

To authorize the Secretary of the Interior to approve an agreement entered into by the Soboba Band of Mission Indians releasing a claim against the Metropolitan Water District of Southern California and Eastern Municipal Water District, California, and to provide for construction of a water distribution system and a water supply for the Soboba Indian Reservation; and to authorize long-term leases of land on the reservation.

December 17, 1970
[H. R. 3328]
84 Stat. 1465

Soboba Indian Reservation, Calif.
Water distribution system.
Claim release agreement.
Payment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to approve a release agreement to be negotiated by and between the Soboba Band of Mission Indians, the Metropolitan Water District of Southern California, hereinafter called Metropolitan, and the Eastern Municipal Water District, hereinafter called Eastern, which provides among other things that—

(a) Metropolitan shall pay to the Secretary of the Interior for the use and benefit of the Soboba Indians the sum of $30,000. Payment shall be made when the lands that comprise the Soboba Indian Reservation have been annexed to Metropolitan and to Eastern. The annexation shall be subject to the terms and conditions of the release agreement and the annexation and water service agrement to be executed pursuant to section 2 of this Act.

(b) The Soboba Band of Mission Indians releases Metropolitan and Eastern, their successors or assigns, from all claim it may have based on past, present, or future actual or claimed damage to, or interference with, the flow of waters from the springs on the Soboba Indian Reservation lands, or on actual or claimed interference with, or damage to, the water supply to or upon the lands of the Soboba Indian Reservation, which claims arise from construction and operation of a certain tunnel through the San Jacinto mountains constructed in the 1930's.

Effective date.

(c) The release agreement shall be effective upon the completion of the concurrent annexation of the Soboba Indian Reservation lands to Metropolitan and Eastern and upon the execution of an annexation and water service agreement authorized by section 2 of this Act.

Land annexation.

SEC. 2. The Secretary of the Interior and the Soboba Band of Indians are authorized to enter into an annexation and water service agreement with Eastern which provides, among other things, that—

(a) The Soboba Indian Reservation lands may be annexed to Eastern and Metropolitan.

Annexation charge etc., waiver.
Water service agreement.

(b) No annexation charge or back taxes regardless of form shall be made for said annexation.

(c) The Secretary and Eastern shall jointly determine the additional new water supply and distribution facilities that shall be constructed and the existing facilities that shall be rehabilitated in order to provide domestic and irrigation water to each consumer within the Soboba Indian Reservation. Subject to the appropriation authorization limitation in section 5, construction or rehabilitation of facilities to provide water service to the Soboba Indian Reservation shall be undertaken by Eastern, shall be financed by the United States, with Eastern providing such funds as the Secretary of the Interior and Eastern jointly determine represent a prorated share of joint-use facilities constructed outside of the Soboba Reservation, and with the $30,000 paid pursuant to subsection 1 (a) being applied to the construction or rehabilitation. Facilities constructed within the Soboba Reservation shall be the property of the United States and facilities constructed outside of the Soboba Reservation shall be the property of Eastern.

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Maintenance.

⊥(d) Eastern shall have the exclusive right, without charge, to use the supply and distribution facilities owned by the United States lying within the Soboba Indian Reservation, and Eastern shall assume the responsibility for maintaining and operating such facilities.

New service connections, financing.

(e) Upon assumption of operation and maintenance of the system by Eastern following completion of the initial installation and rehabilitation work, any new service connections applied for by residents or consumers within the Soboba Indian Reservation, and any other additional water main extensions or facilities required for serving new development within the Soboba Indian Reservation, shall be financed by the applicants for such service, in accordance with the standard

rules and regulations of Eastern, except as indicated in the next sentence. As long as title to the lands involved is held in trust by the United States, such new service connections or additional water main extensions or facilities may be financed by the United States to the extent agreed upon by the Secretary of the Interior. All such new service connections, additional extensions, or facilities shall be constructed by Eastern. All such new service connections, additional extensions, or facilities financed by parties other than the United States shall be the property of Eastern. All such service connections, additional extensions, or facilities financed by the United States shall be the property of the United States subject to exclusive use by Eastern without charge.

Exception.

(f) Subject to the limitations of capacity and location of the jointly agreed upon facilities, Eastern shall deliver domestic and irrigation water to each individual consumer within the Soboba Indian Reservation in accordance with the prevailing standard rules and regulations of Eastern and the provisions of the annexation and water service agreement.

Delivery.

(g) The retail rates applicable to water service within the Soboba Indian Reservation shall be mutually agreed upon by Eastern and the Secretary of the Interior, and shall be neither less than nor more than the estimated cost of such water service to Eastern, adjusted to reflect differences between estimated costs and actual costs in preceding rate periods. Eastern shall make collections for service in accordance with its prevailing rules and regulations and the Secretary of the Interior shall guarantee payment to Eastern of any delinquent bill for providing water service to lands held in trust within the Soboba Indian Reservation. Water service to a consumer shall be discontinued in accordance with the prevailing rules and regulations of Eastern when a bill for service becomes delinquent, and shall not be resumed as long as the bill is delinquent without prior approval of the Secretary of the Interior. The Secretary shall not approve a resumption of service to an Indian who is able to pay all or a portion of a delinquent bill and fails to do so.

Rates.

Collection.

Delinquent payment.

(h) When title restrictions are removed from any part or all of the Soboba Indian Reservation land, the responsibility and duties of the United States under the annexation and water service agreement shall cease with respect to such land, except for the installation and rehabilitation obligations undertaken in subsections 2 (c) and (e) unless otherwise provided by Act of Congress. Title to the water distribution facilities serving such lands shall at that time become the property of Eastern and the obligation of Eastern to provide water service to such land at cost to the district shall likewise cease.

Transfer of title.

SEC. 3. The Secretary is authorized to grant to Eastern without charge and subject to such conditions as he may prescribe (a) rights-of-way over Soboba Reservation lands necessary for the use, maintenance, and operation of supply and distribution facilities owned by the United States; (b) rights-of-way within which new service connections ⊥are installed after initial installation and rehabilitation work has been completed by Eastern; and (c) rights-of-way necessary for additional water main extensions and other waterworks facilities required for serving new development: *Provided*, That where title to the Soboba Reservation lands involved has been conveyed in fee simple by the United States the rights-of-way hereby authorized shall be subject to prior approval of the owner of record. Eastern shall construct, use, maintain, operate, or install the equipment or facilities for which the rights-of-way are granted in a manner that avoids damage to buildings, crops, or trees, or interference with growing of crops. Should such damage or interference occur, Eastern shall compensate the United States as trustee, or the fee owner of record. The rights-of-way

Right-of-way.

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granted shall revert to the United States or the owner of record when no longer required for the purpose or purposes for which granted.

Trust lands, alienation, etc., prohibition.

SEC. 4. Nothing in this Act shall permit Metropolitan or Eastern, or their successors or assigns to alienate, encumber, or tax any property belonging to an Indian or Indian band which is held in trust by the United States of America, or which is subject to a restriction against alienation imposed by the United States of America, while such property is exempt therefrom under Federal case law or provisions of other Federal statutes.

Appropriation.

SEC. 5. There are authorized to be appropriated to carry out the provisions of subsection 2 (c) not to exceed $316,658, in addition to the unexpended balance of sums previously appropriated and available for a water supply to the Soboba Reservation and the $30,000 provided pursuant to subsection 2 (c), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved. There are also authorized to be appropriated such sums as may be necessary to make any payments guaranteed pursuant to subsection 2 (g). No funds shall be appropriated pursuant to the authorization contained in this section until sixty calendar days (not counting days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain) after the Secretary has submitted to the Congress a plan for the construction and use of the water supply and distribution facilities under subsection 2 (c), and for the repayment of costs as provided in section 6, and then only if within said sixty days neither the House nor the Senate Committee on Interior and Insular Affairs disapproves by committee resolution the plan submitted.

Time limitation. Construction plan, submittal to Congress.

Claims.

SEC. 6. Nothing in this Act shall affect the right of the Soboba Indians to pursue their claim against the United States under the Act of August 13, 1946 (60 Stat. 1049), now pending in docket numbered 80A before the Indian Claims Commission, but any expenditures under subsections 2 (c), (e), and (g), and the $30,000 paid by the Metropolitan and used pursuant to subsection 2 (c), may be used by the Commission either in mitigation of damages or as an offset against any award which the Indians may receive. If such amount exceeds the award, the excess, and all expenditures by the United States under subsections 2 (c), (e), and (g) after the date of the award, shall be repaid to the United States, without interest, by deductions from revenues received by the Soboba Band or its members from the sale, lease, or rental of the lands, such deductions to be in amounts that will reimburse the United States within fifty years, or as soon thereafter as possible, according to estimates of the Secretary of the Interior, which estimates may be revised from time to time: *Provided*, That deductions in any one year shall not exceed 50 per centum of the revenues received in that year.

25 U. S. C. 70

Deductions for payment.

Limitation.

‡1468

‡SEC. 7. Notwithstanding any other provision of law, any assignment of land on the Soboba Reservation shall be modified, reduced in size, revoked, or otherwise limited by the governing body of the Soboba Band, or by the Secretary of the Interior if in his judgment the governing body fails to act effectively, in order to assure that the benefits from the development of the land with water provided pursuant to this Act, other than for subsistence purposes, will accrue to the Band rather than to the assignee.

Land modification.

Long-term leases. 81 Stat. 559, Auto. p. 302

SEC. 8. The second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U. S. C. 415), is hereby amended by inserting after "Gila River, Reservation," the words "the Soboba Indian Reservation,".

Approved, December 17, 1970.

PUBLIC LAW 91-581

AN ACT

To authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes.

December 24, 1970
[S. 368]
84 Stat. 1566

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Geothermal Steam Act of 1970".

Geothermal Steam Act of 1970.
Definitions.

* * *

⊥SEC. 15. (a) Geothermal leases for lands withdrawn or acquired in aid of functions of the Department of the Interior may be issued only under such terms and conditions as the Secretary may prescribe to insure adequate utilization of the lands for the purposes for which they were withdrawn or acquired.

⊥1571

(b) Geothermal leases for lands withdrawn or acquired in aid of functions of the Department of Agriculture may be issued only with the consent of, and subject to such terms and conditions as may be prescribed by, the head of that Department to insure adequate utilization of the lands for the purposes for which they were withdrawn or acquired. Geothermal leases for lands to which section 24 of the Federal Power Act, as amended (16 U. S. C. 818), is applicable, may be issued only with the consent of, and subject to, such terms and conditions as the Federal Power Commission may prescribe to insure adequate utilization of such lands for power and related purposes.

41 Stat. 1075; 62 Stat. 275.

(c) Geothermal leases under this Act shall not be issued for lands administered in accordance with (1) the Act of August 25, 1916 (39 Stat. 535), as amended or supplemented, (2) for lands within a national recreation area, (3) for lands in a fish hatchery administered by the Secretary, wildlife refuge, wildlife range, game range, wildlife management area, waterfowl production area, or for lands acquired or reserved for the protection and conservation of fish and wildlife that are threatened with extinction, (4) for tribally or individually owned Indian trust or restricted lands, within or without the boundaries of Indian reservations.

16 U. S. C. 1

SEC. 16. Leases under this Act may be issued only to citizens of the United States, associations of such citizens, corporations organized under the laws of the United States or of any State or the District of Columbia, or governmental units, including, without limitation, municipalities.

Lessees, citizenship requirement

* * *

Approved, December 24, 1970.

PUBLIC LAW 91-605

AN ACT

To authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

December 31, 1970
[H. R. 19504]
84 Stat. 1713

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Highway construction and safety.

TITLE I

Appropriation authorization.

SHORT TITLE

SEC. 101. This title may be cited as the "Federal-Aid Highway Act of 1970".

* * *

⊥HIGHWAY AUTHORIZATIONS

⊥1715

SEC. 105. (a) For the purpose of carrying out the provisions of title

72 Stat. 885.

23, United States Code, the following sums are hereby authorized to be appropriated:

* * *

⊥1716

⊥(11) For Indian reservation roads and bridges, $30,000,000 for the fiscal year ending June 30, 1972, and $30,000,000 for the fiscal year ending June 30, 1973.

* * *

(14) Nothing in the first eleven paragraphs of this section shall be construed to authorize the appropriation of any sums to carry out section 131, 136, 319 (b), or chapter 4 of title 23, United States Code.

80 Stat. 731.
23 U. S. C. 401.

* * *

⊥1732

⊥INDIAN RESERVATION ROADS AND BRIDGES

SEC. 130. The definition of the term "Indian reservation roads and bridges" in section 101 (a) of title 23, United States Code, is amended to read as follows:

Ante, p. 1716.

"The term 'Indian reservation roads and bridges' means roads and bridges that are located within or provide access to an Indian reservation or Indian trust land or restricted Indian land which is not subject to fee title alienation without the approval of the Federal Government on which Indians reside whom the Secretary of the Interior has determined to be eligible for services generally available to Indians under Federal laws specifically applicable to Indians."

Approved, December 31, 1970.

PUBLIC LAW 91-609

AN ACT

December 31, 1970
[H. R. 19436]

84 Stat. 1770

To provide for the establishment of a national urban growth policy, to encourage and support the proper growth and development of our States, metropolitan areas, cities, counties, and towns with emphasis upon new community and inner city development, to extend and amend laws relating to housing and urban development, and for other purposes.

Housing and Urban Development Act of 1970.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing and Urban Development Act of 1970".

* * *

⊥1781

⊥TITLE IV—CONSOLIDATION OF OPEN-SPACE LAND PROGRAMS

Effective date.

75 Stat. 183.
42 U. S. C. 1500.

SEC. 401. Effective July 1, 1971, title VII of the Housing Act of 1961 is amended to read as follows:

"TITLE VII—OPEN-SPACE LAND

* * *

GRANTS FOR ACQUISITION AND FOR DEVELOPMENT OF OPEN-SPACE LAND

"SEC. 702. (a) The Secretary is authorized to make grants to States and local public bodies to help finance (1) the acquisition of title to, or other interest in, open-space land in urban areas and (2) the development of open-space or other land in urban areas for open-space uses. The amount of any such grant shall not exceed 50 per centum of the eligible project cost, as approved by the Secretary, of such acquisition or development. Not more than 50 per centum of the non-Federal share of such eligible project cost may, to the extent authorized in regulations established by the Secretary, be made up by donations of land or materials.

* * *

⊥"DEFINITIONS ⊥1783

"SEC. 709. As used in this title—

* * *

⊥"(4) The term 'local public body' means any public body (including a political subdivision) created by or under the laws of a State or two or more States, or a combination of such bodies, and includes Indian tribes, bands, groups, and nations (including Alaska Indians, Aleuts, and Eskimos) of the United States. ⊥1784

* * *

Approved, December 31, 1970.

PUBLIC LAW 91-627

AN ACT

To amend section 7 of the Act of August 9, 1946 (60 Stat. 968).

December 31, 1970
[H. R. 380]
84 Stat. 1874

Yakima Tribes.
Non-members, inheritance.
25 U. S. C. 607.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of August 9, 1946 (60 Stat. 968), is amended to read as follows:

"SEC. 7. (a) A person who is not an enrolled member of the Yakima Tribes with one-fourth degree or more blood of such tribes shall not be entitled to receive by devise or inheritance any interest in trust or restricted land within the Yakima Reservation or within the area ceded by the Treaty of June 9, 1855 (12 Stat. 1951), if, while the decedent's estate is pending before the Examiner of Inheritance, the Yakima Tribes pay to the Secretary of the Interior, in behalf of such person, the fair market value of such interest as determined by the Secretary of the Interior after appraisal. The interest for which payment is made shall be held by the Secretary in Trust for the Yakima Tribes.

"(b) On request of the Yakima Tribes the Examiner of Inheritance shall keep an estate pending for not less than two years from the date of decedent's death.

"(c) When a person who is prohibited by subsection (a) from acquiring any interest by devise or inheritance is a surviving spouse of the decedent, a life estate in one-half of the interest acquired by the Yakima Tribes shall, on the request of such spouse, be reserved for that spouse and the value of such life estate so reserved shall be reflected in the Secretary's appraisal under subsection (a)."

SEC. 2. The provisions of section 7 of the Act of August 9, 1946, as amended by this Act, shall apply to all estates pending before the Examiner of Inheritance on the date of this Act, and to all future estates, but shall not apply to any estate heretofore closed.

Approved, December 31, 1970.

PUBLIC LAW 91-644

AN ACT

To amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes.

January 2, 1971
[H. R. 17825]
84 Stat. 1880

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Omnibus Crime Control Act of 1970".

Omnibus Crime Control Act of 1970

* * *

⊥TITLE I—OMNIBUS CRIME CONTROL AND SAFE STREETS ACT AMENDMENTS ⊥1881

* * *

⊥GRANTS FOR LAW ENFORCEMENT PURPOSES ⊥1882

SEC. 4. Part C of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended as follows:

82 Stat. 199
42 U. S. C. 3731.

* * *

(3) Subsection (c) of section 301 is amended to read as follows:

"(c) The portion of any Federal grant made under this section for the purposes of paragraph (5) or (6) of subsection (b) of this section may be up to 75 per centum of the cost of the program or project specified in the application for such grant. The portion of any Federal grant made under this section for the purposes of paragraph (4) of subsection (b) of this section may be up to 50 per centum of the cost of the program or project specified in the application for such grant. The portion of any Federal grant made under this section to be used for any other purpose set forth in this section may be up to 75 per centum of the cost of the program or project specified in the application for such grant. No part of any grant made under this section for the purpose of renting, leasing, or constructing buildings or other physical facilities shall be used for land acquisition. In the case of a grant under this section to an Indian tribe or other aboriginal group, if the Administration determines that the tribe or group does not have sufficient funds available to meet the local share of the cost of any program or project to be funded under the grant, the Administration may increase the Federal share of the cost thereof to the extent it deems necessary. Effective July 1, 1972, at least 40 per centum of the non-Federal funding of the cost of any program or project to be funded by a grant under this section shall be of money appropriated in the aggregate, by State or individual unit of government, for the purpose of the shared funding of such programs or projects."

* * *

⊥1883

⊥(8) Section 306 is amended to read as follows:

42 U. S. C. 3736.

"SEC. 306. (a) The funds appropriated each fiscal year to make grants under this part shall be allocated by the Administration as follows:

"(1) Eighty-five per centum of such funds shall be allocated among the States according to their respective populations for grants to State planning agencies.

"(2) Fifteen per centum of such funds, plus any additional amounts made available by virtue of the application of the provisions of sections 305 and 509 of this title to the grant of any State, may, in the discretion of the Administration, be allocated among the States for grants to State planning agencies, units of general local government, or combinations of such units, according to the criteria and on the terms and conditions the Administration determines consistent with this title.

Supra.

42 U. S. C. 3757.

Any grant made from funds available under paragraph (2) of this subsection may be up to 75 per centum of the cost of the program or project for which such grant is made. No part of any grant under such paragraph for the purpose of renting, leasing, or constructing buildings or other physical facilities shall be used for land acquisition. In the case of a grant under such paragraph to an Indian tribe or ⊥other aboriginal group, if the Administration determines that the tribe or group does not have sufficient funds available to meet the local share of the costs of any program or project to be funded under the grant, the Administration may increase the Federal share of the cost thereof to the extent it deems necessary. The limitations on the expenditure of portions of grants for the compensation of personnel in subsection (d) of section 301 of this title shall apply to a grant under such paragraph. Effective July 1, 1972, at least 40 per centum of the non-Federal funding of the cost of any program or project to be funded by a grant under such paragraph shall be of money appropriated in the aggregate, by State or individual unit of government, for the purpose of the shared funding of such programs or projects.

⊥1884

Ante, p. 1882.

* * *

Approved, January 2, 1971.

PUBLIC LAW 91-665

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1971, and for other purposes.

January 8, 1971
[H. R. 19928]
84 Stat. 1981

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriations Act, 1971") for the fiscal year ending June 30, 1971, and for other purposes, namely:

Supplemental Appropriations Act, 1971

* * *

CHAPTER VI—DEPARTMENT OF THE INTERIOR

84 Stat. 1986

* * *

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $16,925,000.

* * *

Approved, January 8, 1971.

PUBLIC LAW 91-695

AN ACT

To provide Federal financial assistance to help cities and communities to develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning and local programs to detect and treat incidents of such poisoning, to establish a Federal demonstration and research program to study the extent of the lead-based paint poisoning problem and the methods available for lead-based paint removal, and to prohibit future use of lead-based paint in Federal or federally assisted construction or rehabilitation.

January 13, 1971
[H. R. 19172]
84 Stat. 2078

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Lead-Based Paint Poisoning Prevention Act".

Lead Based Paint Poisoning Prevention Act.

TITLE I—GRANTS FOR THE DETECTION AND TREATMENT OF LEAD-BASED PAINT POISONING

GRANTS FOR LOCAL DETECTION AND TREATMENT OF LEAD-BASED PAINT POISONING

SEC. 101. (a) The Secretary of Health, Education, and Welfare (hereafter referred to in this title as the "Secretary") is authorized to make grants to units of general local government in any State for the purpose of assisting such units in developing and carrying out local programs to detect and treat incidents of lead-based paint poisoning.

(b) The amount of any such grant shall not exceed 75 per centum of the cost of developing and carrying out a local program, as approved by the Secretary, during a period of three years.

Limitation

(c) A local program should include—

(1) educational programs intended to communicate the health danger and prevalence of lead-based paint poisoning among children of inner city areas, to parents, educators, and local health officials;

(2) development and carrying out of intensive community testing programs designed to detect incidents of lead-based paint poisoning among community residents, and to insure prompt medical treatment for such afflicted individuals;

(3) development and carrying out of intensive followup programs to insure that identified cases of lead-based paint poison-

ing are protected against further exposure to lead-based paints in their living environment; and

(4) any other actions which will reduce or eliminate lead-based paint poisoning.

Employment opportunities.

(d) Each local program shall afford opportunities for employing the residents of communities or neighborhoods affected by lead-based paint poisoning, and for providing appropriate training, education, and any information which may be necessary to inform such residents of opportunities for employment in lead-based paint poisoning elimination programs.

TITLE II—GRANTS FOR THE ELIMINATION OF LEAD-BASED PAINT POISONING

SEC. 201. The Secretary of Health, Education, and Welfare is authorized to make grants to units of general local government in any State for the purpose of assisting such units in developing and carrying out programs that identify those areas that present a high risk to the health of residents because of the presence of lead-based ⊥2079 ⊥paints on interior surfaces, and then to develop and carry out programs to eliminate the hazards of lead-based paint poisoning.

(a) A local program should include:

(1) development and carrying out of comprehensive testing programs to detect the presence of lead-based paints on surfaces of residential housing;

(2) the development and carrying out of a comprehensive program requiring the prompt elimination of lead-based paints from all interior surfaces, porches, and exterior surfaces to which children may be commonly exposed, of residential housing on which lead-based paints have been used as a surface covering, including those surfaces on which non-lead-based paints have been used to cover surfaces to which lead-based paints were previously applied; and

(3) any other actions which will reduce or eliminate lead-based paint poisoning.

(b) Each such program shall—

(1) be consistent with the appropriate local program assisted under section 101, and

Employment opportunities.

(2) afford, to the maximum extent feasible, opportunities for employing the residents of communities or neighborhoods affected by lead-based paint poisoning, and for providing appropriate training, education, and any information which may be necessary to inform such residents of opportunities for employment in lead-based paint elimination programs.

* * *

⊥TITLE V—GENERAL

DEFINITIONS

SEC. 501. As used in this Act—

(1) the term "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States;

(2) the term "units of general local government" means (A) any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, (B) any combination of units of general local government in one or more States, (C) an Indian tribe, or (D) with respect to lead-based paint poisoning elimination activities in their urban areas, the territories and possessions of the United States; and

(3) the term "lead-based paint" means any paint containing

more than 1 per centum lead by weight (calculated as lead metal) in the total non-volatile content of liquid paints or in the dried film of paint already applied.

* * *

Approved, January 13, 1971.

3 1604 013 630 837